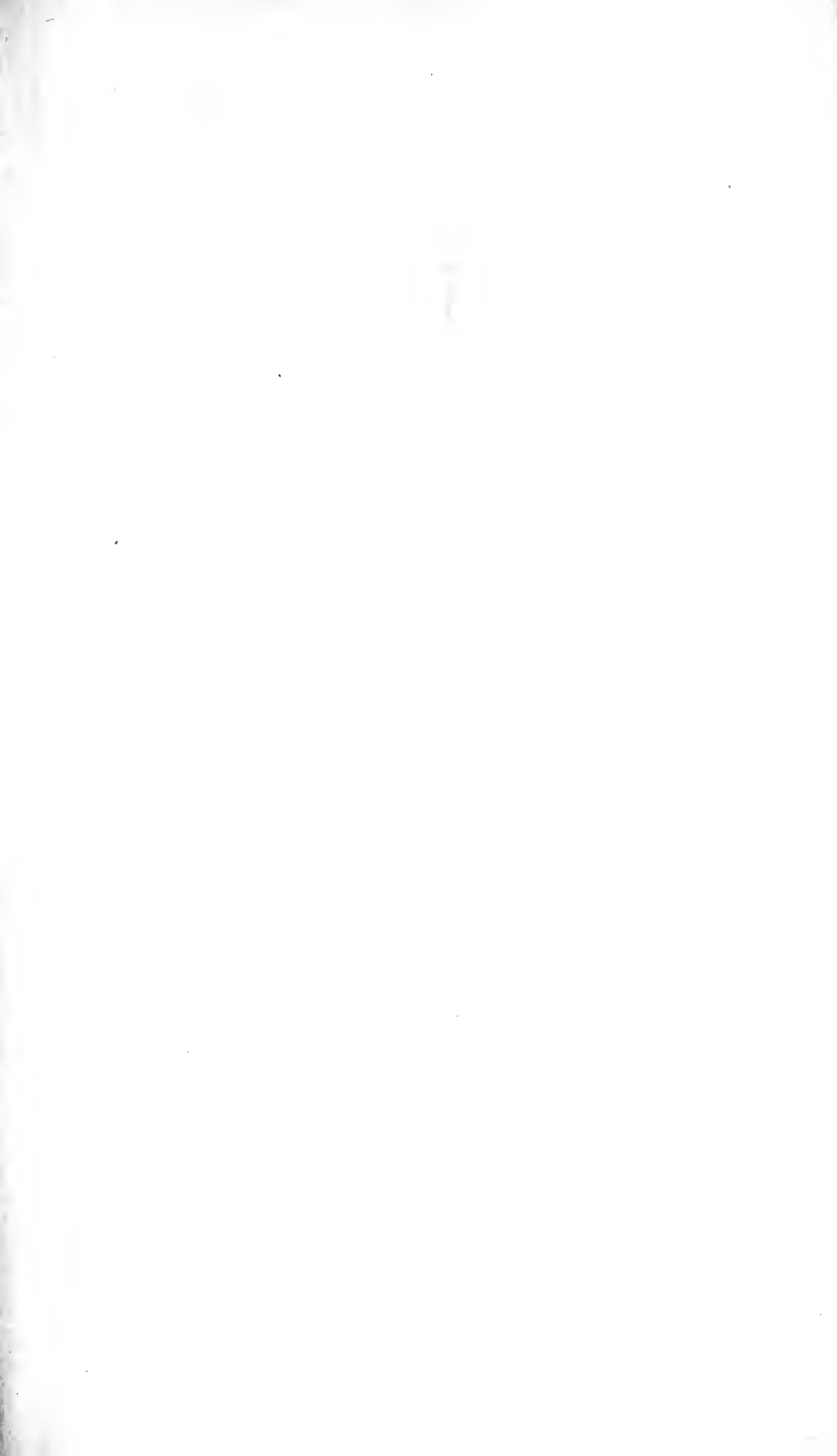


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JOURNAL  
OF THE  
HOUSE OF REPRESENTATIVES,  
OF THE  
STATE OF INDIANA,  
DURING THE  
FORTY-FOURTH SESSION  
OF THE  
GENERAL ASSEMBLY,  
COMMENCING THURSDAY, JANUARY 5, 1865.

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INDIANAPOLIS:  
W. R. HOLLOWAY, STATE PRINTER.  
1865.



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# JOURNAL.

OF THE

## HOUSE OF REPRESENTATIVES.

*During the forty-fourth regular session of the General Assembly of State of Indiana, begun and held at the Capitol, in the City of Indianapolis, on Thursday, the 5th day of January, A. D., 1865, being the day fixed by law for the meeting of the same.*

The House of Representatives being called to order by A. T. Whittlesey, Principal Clerk of the last House of Representatives, the following members appeared, produced their credentials, and were sworn into office by J. T. Elliott, one of the Judges of the Supreme Court of the State of Indiana, and took their seats, viz.:

From the County of Adams—Philemon N. Collins.  
From the County of Allen—O. Bird and J. T. Shoaf.  
From the County of Bartholomew—O. H. P. Abbett.  
From the County of Blackford and Wells—Newton Burwell.  
From the County of Brown—John Richards.  
From the Counties of Benton and White—Thomas Atkinson.  
From the County of Boone—Thomas M. Stringer.  
From the County of Carroll—John B. Milroy.  
From the County of Cass—Charles B. Lasselle.  
From the County of Clark—Jonas G. Howard.  
From the County of Clay—A. C. Veach.  
From the County of Clinton—Cornelius J. Miller.  
From the County of Daviess—Howard Crook.  
From the County of Dearborn—John G. Stringer and Ricard Gregg.

From the County of DeKalb—Robert M. Lockhart.  
 From the County of Decatur—Wm. H. Bonner.  
 From the County of Delaware—A. Kilgore.  
 From the County of Elkhart—Joseph Riford.  
 From the County of Floyd—Cyrus L. Dunham.  
 From the County of Fountain—H. L. Roach.  
 From the County of Franklin—R. Osborn.  
 From the County of Grant—Henly James.  
 From the County of Gibson—John Hargrove.  
 From the County of Harrison—John W. Lopp.  
 From the County of Hancock—John H. White.  
 From the Counties of Huntington and Whitley—John R. Coffroth.  
 From the Counties of Hancock and Shelby—Geo. C. Thatcher.  
 From the Counties of Harrison and Washington—John Lemon.  
 From the Counties of Hamilton and Tipton—Wm. Stivers.  
 From the County of Hendricks—Chas. F. Hogate.  
 From the County of Henry—David W. Chambers.  
 From the County of Howard—Seymour T. Montgomery.  
 From the County of Jackson—Jason B. Brown.  
 From the County of Jay—Samuel A. Shoaf.  
 From the County of Jefferson—D. C. Branham and T. T. Wright.  
 From the County of Jennings—Hiram Prather.  
 From the County of Knox—Jno. B. Patterson.  
 From the County of Kosciusko—Harvy W. Upson.  
 From the County of Lagrange—Francis P. Griffith.  
 From the County of Lake—Bartlet Woods.  
 From the County of Laporte—Wm. W. Higgins and John H. Willis.  
 From the County of Lawrence—Robert Boyd.  
 From the County of Madison—B. E. Croan.  
 From the Counties of Marshall and Stark—Lloyd Glazebrook.  
 From the County of Monroe—Samuel H. Buskirk.  
 From the County of Marion—H. C. Newcomb and J. M. McVey.  
 From the County of Miami—Jonas Hoover.  
 From the County of Montgomery—Samuel Gregory.  
 From the County of Morgan—A. J. Major.  
 From the County of Noble—Philip Zeigler.  
 From the County of Orange—Thomas Hunt.  
 From the County of Owen—John M. Stuckey.  
 From the County of Pike—J. W. Richardson.  
 From the County of Parke—Thomas N. Rice.  
 From the County of Perry—Henry Groves.  
 From the County of Porter—Firman Church.  
 From the County of Randolph—Thomas W. Reese.  
 From the County of Ripley—B. F. Ferris.  
 From the County of Rush—David M. Stewart.  
 From the County of Spencer—F. M. Emerson.  
 From the County of St. Joseph—John A. Henricks.  
 From the County of Stuben—Stephen C. Sabin.  
 From the County of Scott—Thomas M. Sullivan.

From the County of Shelby—James Harrison.  
 From the County of Sullivan—Stephen G. Burton.  
 From the County of Warrick—Robert Perigo.  
 From the County of Tippecanoe—Jos. M. Hershey and J. L. Miller.

From the County of Vanderburg—Fred. W. Cook.  
 From the County of Vermillion—B. E. Rhoads.  
 From the County of Vigo—F. M. Meredith and J. E. Woodruff.  
 From the County of Wabash—John U. Pettit.  
 From the County of Warren—Benjamin F. Gregory.  
 From the County of Wayne—John Sim, Wm. W. Foulke and E. Cox.  
 From the Counties of Wabash and Kosciusko—Thomas C. Whiteside.

From the Counties of Elkhart and Lagrange—Michael F. Shuey.  
 From the Counties of Switzerland and Ohio—Augustus Welch.  
 From the Counties of Fayette and Union—Gilbert Trusler.  
 From the Counties of Hendricks and Boone—John F. Burns.  
 From the Counties of Vanderburg and Posey—E. T. Sullivan.  
 From the Counties of Johnson and Morgan—Ezra A. Olleman.  
 From the Counties of Newton, Jasper and Pulaski—Silas Johnson.

On motion of Mr. Branham,

The House proceeded to the election of Speaker, by a *viva voce* vote.

*Those who voted for John U. Pettit, Representative from Wabash county, were—*

Messrs. Atkinson, Bonner, Boyd, Branham, Burns, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Gregory, of Montgomery, Gregory, of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lockhart, Major, Meredith, Miller, of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rice, Riford, Sabin, Shuey, Sim, Steward, Stiver, Stringer, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright and Zeigler—52.

*Those who voted for Jason B. Brown, a Representative from the county of Jackson, were—*

Messrs. Abbott, Beckett, Bird, Burton, Burwell, Buskirk, Coffroth, Collins, Colover, Croan, Dunham, Glazebrook, Gregg, Hargrove, Harrison, Howard, Hunt, Lasselle, Lemon, Lopp, Miller of Clinton, Milroy, Osborn, Patterson, Perigo, Richards, Richardson, Roach, Shoaf of Allen, Shoaf of Jay, Stringer, Stuckey, Sullivan of Scott, Thatcher, Veach and White—36.

Mr. Pettit voting for Mr. Branham, of Jefferson county.

John U. Pettit, having received a majority of all the votes cast, was declared, by the Clerk, duly elected Speaker of the House of Representatives for and during the present session, and was conducted to the Chair by Messrs. Branham and Brown.

Whereupon the Speaker returned his thanks as follows :

GENTLEMEN : I thank you for the honor done me in selecting me to preside over your deliberations. It will increase the value of this mark of confidence, if, in executing the duties of this office, you should think when our duties are ended, that I have deserved it. The best gratitude I can express will be in trying to deserve it. I confess a conscious diffidence in entering on this office, but I am encouraged in remembering that I am now charged with maintaining your authority, not my own—with administering the rules established by yourselves—to maintain the decorum, dignity and independence of debate, and to give ease and certainty to legislation, and that I shall be cheerfully supported by you all, from principle and feeling, in conducting to these objects. This will lighten the labors of the Chair, and make them cheerful ; and if, as is not unlikely, my judgment shall betray me into errors, I know that I shall have your charitable indulgence.

The functions of this body, always important, assume increased consequence in the midst of the sad and perilous history through which we are passing, and of which history our young Commonwealth has proudly acted its part. This requires from us, in order to preserve its honor, greater watchfulness, caution, sagacity. At this solemn threshold of our duties, under the fresh obligations of our oaths of office, which bind us with another tie of love and loyalty to the State, may I invoke you to emulate, by wisdom and justice in council, the renown of that patriotism which has warmed the hearts of all our people, still glowing with unabated fire, and which has felt no sacrifice too great for love of country, and the equal glory of the soldiers of the State, who have willingly faced danger and sustained its honor on so many battle-fields.

On motion of Mr. Branham,

The House proceeded to the election of Principal Clerk.

*Those who voted for Cyrus T. Nixon, were,*

Messrs. Atkinson, Bonner, Boyd, Branham, Burns, Chambers, Church, Cook, Cox, Crook, Emerson, Farris, Foulke, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Pettit, Prather, Reese, Rice, Riford, Sabin, Shuey, Sim, Steward, Stiver, Stringer, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler—53.



*Those who voted for James B. Newton, were,*

Messrs. Abbett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Collins, Crone, Dunham, Glazebrook, Gregg, Hargrove, Harrison, Howard, Hunt, Lasselle, Lemon, Lopp, Miller of Clinton, Milroy, Osborn, Patterson, Perigo, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stinger, Stuckey, Sullivan of Scott, Thatcher, Veach, White—35.

Mr. Cyrus T. Nixon having received a majority of all the votes cast, was declared duly elected Principal Clerk of the House for and during the present session, and was sworn in to office by the Speaker of the House, and entered upon the discharge of his duties.

Mr. A. J. Beckett, of Dubois county, appeared, presented his credentials, and was sworn into office.

On motion,

The House proceeded to the election of Assistant Clerk.

*Those who voted for T. W. O. Braffett were,*

Messrs. Atkinson, Bonner, Boyd, Branham, Burns, Chambers, Church, Colover, Cook, Cox, Crook, Emerson, Farris, Foulke, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henriks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Pettit, Prather, Reese, Rhodes, Rice, Riford, Sabin, Shuey, Sim, Steward, Stiver, Stringer, Trusler, Upson, Veach, Welch, White, Willis, Woodruff, Woods, Wright, Zeigler—54.

*Those who voted for John C. Robinson were,*

Messrs. Abbett, Beckett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Collins, Crone, Dunham, Glazebrook, Gregg, Hargrove, Harrison, Howard, Hunt, Lasselle, Lemmon, Lopp, Miller, Milroy, Osborn, Perigo, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stenger, Stuckey, Sullivan of Scott, Thatcher, Welch and White—36.

T. W. O. Braffett having received a majority of all the votes cast, was declared duly elected Assistant Clerk for and during the present term, was sworn into office by the Speaker of the House, and entered upon the discharge of his duties.

On motion,

The House then proceeded to the election of Doorkeeper.

*Those who voted for John H. Dooley were,*

Messrs. Atkinson, Bonner, Boyd, Branham, Burns, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lockhart, Major, Meredith Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Pettit, Prather, Reese, Rhodes, Rice, Riford, Sabin, Shuey, Sim, Steward, Stiver, Stringer, Trusler, Upson, Welch, White-side, Willis, Woodruff, Woods, Wright, Zeigler—54.

*Those who voted for Henry Achey were,*

Messrs. Abbett, Beckett, Bird, Brown, Burton, Burwell, Coffroth, Collins, Colover, Crane, Dunham, Glazebrook, Gregg, Hargrove, Harrison, Howard, Hunt, Lasselle, Lemon, Lopp, Miller of Clinton, Milroy, Osborn, Patterson, Perigo, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stenger, Stuckey, Sullivan of Scott, Thatcher, White—36.

Mr. Branham offered the following resolution :

*Resolved*, That the Senate be informed that the House of Representatives have convened, and that enough of members to form a quorum have answered to their names, and have completed the organization of the House by the election of John U. Pettit, the Representative from the county of Wabash, as Speaker; Cyrus T. Nixon, of Clark, Principal Clerk; T. W. O. Braffett, of Wayne, Assistant Clerk, and John H. Dooley, of the county of Boone, Doorkeeper; and that the House is now ready to proceed with the legislative business of the session.

Which, on motion, was adopted.

Mr. Higgins offered the following resolution :

*Resolved*, That the Rules of the last Legislature be the rules of this House, until others are adopted.

Mr. Branham offered the following as a substitute, which was accepted :

*Resolved*, That the Rules of the last Legislature be the Rules of this House until others are adopted, and that a select committee of five be appointed to revise and report rules for the government of this House.

Which, on motion, was adopted.

The Speaker appointed Messrs. Branham, Buskirk, Higgins, Dunham and Newcomb said committee.

Mr. Newcomb offered the following resolution :

*Resolved*, That the Speaker be, and he is hereby authorized to appoint as many pages as he may deem necessary, for the convenient transaction of the business of the House.

Which, on motion, was adopted.

Mr. Griffith offered the following resolution :

WHEREAS, It is generally accredited that E. Banta, whose name appears upon the printed list, was duly elected a Representative from the county of Johnson to the General Assembly of Indiana, but who appears here without certificate of election, by reason of the refusal upon the part of the Clerk of said county to issue the same; therefore

*Resolved*, That the Judiciary Committee be directed to enquire into the propriety of preferring impeachment against said Clerk, for gross dereliction of duty, or administering such other punishment as the Constitution and laws demand.

Which, on motion, was adopted.

Mr. Branham moved that Mr. Banta of Johnson county be admitted as a member and sworn into office.

Pending which question, the House adjourned till 2 o'clock P. M.

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2 O'CLOCK, P. M.

The House met.

The question being on the motion of Mr. Branham to admit Mr. Banta as a member from Johnson county,

Mr. Newcomb offered the following as a substitute, which was accepted by Mr. Branham :

WHEREAS : It appears to this House that at the general election held in the county of Johnson on the 11th day of October, A. D., 1864, Elijah Banta received a majority of the votes cast for Rep-

representative of said county in the present General Assembly, as declared by the Board of Canvassers;

AND WHEREAS: It further appears that the Clerk of the Johnson Circuit Court has refused to issue a certificate of election to said Banta, on the ground that the election of said Banta is contested; AND WHEREAS: No other person holds a certificate of election as Representative of said County of Johnson; therefore,

*Be it Resolved*, That until it is shown by an investigation of said contest that some other person is entitled to said seat, said Banta is entitled to be admitted as a member of this House, and that the Speaker be instructed to administer to said Elijah Banta the oath of office prescribed for members of this body.

And submitted the accompanying affidavits:

STATE OF INDIANA, }  
MARION COUNTY. }

Before me, Samuel P. Oyler, Senator from Johnson and Morgan, was by me first duly sworn, upon his oath deposes, and says that at the general election, held on the 11th of October, 1864, one Elijah Banta and one Louis C. Garr were the only candidates for the office of Representative of the county of Johnson in the State of Indiana, that according to the verified returns of the Board of Canvassers of said county, he, the said Elijah Banta, received seventeen hundred and forty-six (1746) votes for said office, and the said Louis Garr received fifteen hundred and fifty-three (1553) votes for said office—that said Banta has been a resident and a voter of said county for ten (10) years last past.

SAMUEL P. OYLER.

Subscribed, and sworn to before me, this 5th day of January, 1865.

LAZ. NOBLE,  
Clerk of the Supreme Court.

STATE OF INDIANA, }  
COUNTY OF MARION. }

Elijah Banta, being by me first duly sworn, upon his oath deposes and says, that at the general election, held on the 11th of October, 1864, he, Elijah Banta, and one Louis C. Garr, were the only candidates who were voted for for the office of Representatives for the county of Johnson, in the State of Indiana; that, according to the verified returns of the Board of Canvassers of said county, he the said Elijah Banta, received seventeen hundred and forty-six (1746) votes, and the said Louis C. Garr, according to the returns of said Board of Canvassers, fifteen hundred and fifty-three (1553) votes, for said office; that he the said Banta was therefore duly elected by a majority

of one hundred and ninety-three votes; that he, the said Banta has been a citizen and a resident of Johnson county, Indiana, for the past sixteen years; that he is forty-two years of age to-day, and a legal voter of said county and State; that on or about the first day of November, 1864, he demanded of John W. Wilson, Clerk of said county, a certificate of his election; said Wilson then and there refused to deliver him such certificate; that on the 5th day of January, 1865, application was made to the Secretary of State for the returns of election of said county for the year 1864, and received the certificate hereto attached from said Secretary.

(Signed.)

E. BANTA.

Subscribed and sworn to before me, this 5th day of January, 1865.

(SEAL.)

LAZ. NOBLE,  
Clerk of the Supreme Court

STATE OF INDIANA, OFFICE SECRETARY OF STATE, }  
Indianapolis, January 5, 1865. }

I certify that no returns of the vote for Representatives in the Legislature polled in Johnson county on the 11th day of October, 1864, has been received at this office up to this date.

M. NORTH,  
Deputy Secretary of State.

Mr. Brown moved to refer to the Committee on Judiciary.

Mr. Branham moved to lay the motion on the table.

Messrs. Dunham and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burns, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogaté, Hoover, James, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabine Shuey, Sim, Steward, Stiver, Stringer, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright and Zeigler—53.

Those who voted in the negative were,

Messrs. Abbett, Beckett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Colover, Croan, Dunham, Glazebrook, Gregg, Hargrove, Harrison, Howard, Hunt, Lasselle, Lemon, Lopp, Milroy, Osborn, Patterson, Perigo, Richards, Richardson, Roach, Shoaff of Allen, Springer, Stucky, Sullivan of Scott, Thatcher, Veach and Welch—34.



Mr. Colover, Mr. Puett and Mr. Miller were excused from voting by consent of the House.

The question being on the adoption of the resolution, Messrs. Brown and Lopp demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson Bonner, Boyd Branham, Burns, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Gregory, of Montgomery, Gregory, of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabine Sheuy, Sim, Steward, Stiver, Stringer, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright and Zeigler—53.

Those who voted in the negative were,

Messrs. Banta, Beckett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Collins of Adams, Croan, Dunham, Glazebrook, Gregg, Hargrove, Harrison, Howard, Hunt, Laselle, Lemon, Lopp, Miller of Clinton, Milroy, Osborn, Patterson, Perigo, Richards, Richardson, Roach, Shoaf of Allen, Shoaf of Jay, Stringer, Stuckey, Sullivan of Scott, Thatcher, Veach and White—34.

Whereupon Mr. Banta in compliance with the adoption of the resolution came forward was sworn by the Speaker and took his seat.

Mr. Rice offered the following :

*Resolved*, That the State Librarian be ordered to furnish to each member of the House of Representatives, now in session, a sufficient amount of stationery on order of the Clerk.

Mr. Branham moved to refer the resolution to a select committee, and that said committee consider the subject of stamps for the use of the members of the House.

Which, on motion, was adopted.

Mr. Miller, of Clinton, offered the following Resolution :

*Resolved*, That the Doorkeeper be instructed to contract with the Proprietors of the Daily Indiana State Sentinel and Daily Indiana State Journal, three copies each of said papers for the use of the Members and Elective officers of this House, two copies of each to be enveloped and stamped for mailing.

Mr. Newcomb moved to refer to Select Committee on Stationery.

Mr Griffith moved to lay the motion on the table.

The question being on laying the motion on the table, the same was lost.

The question being in reference to the Select Committee, the resolution was so referred.

On motion of Mr. Buskirk,

Leave of absence was granted to Mr. Shaffer, of Fulton county, on account of serious illness.

Mr. Boyd offered the following resolution :

*Resolved*, That the Doorkeeper be directed to place a copy of the Revised Statutes and Journals of the last session on the desk of each member of this House.

Mr. Buskirk offered the following as a substitute :

*Resolved*, That the State Librarian be directed to procure and place on the desk of each member a copy of the Revised Statutes by Gavin & Hord ; also, the Journals of the last House ; also, the large edition of Cushing's Manual for the Speaker ; and also, a copy of the small edition of Cushing's or Jefferson's Manual for each member.

Mr. Boyd accepted said substitute, and moved to refer to a Select Committee on Stationery.

The resolution was so referred.

Mr. Brown offered the following resolution :

*Be it resolved by the House of Representatives, (the Senate concurring,)* That a committee of three on the part of the House, and two on the part of the Senate, be appointed to invite some minister of the Gospel to open the General Assembly with prayer immediately preceding the delivery of the message by his Excellency, the Governor.

Which, on motion, was adopted.

Mr. Stringer offered the following :

WHEREAS, Dudley Hamrick and Higgins Lane are present in the House to contest the seats claimed by Austin M. Puett and S. Colover, as Representatives from Putnam county ; and Thomas Hamilton as contestant of the seat claimed by C. J. Miller, as Representative from Clinton county ; therefore, be it

*Resolved*, That the said contestants be admitted to seats in this Assembly until the said contests are finally determined.

The question being on the adoption of the resolution,  
Pending which,

Mr. Newcomb moved to adjourn until to-morrow morning, nine o'clock.

Which was agreed to.

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FRIDAY MORNING, 9 o'clock, }  
January 6th, 1865. }

The House met pursuant to adjournment.

The Journal was read and approved.

Mr. Speaker announced Special Committee on Stationery and Stamps, under resolution of January 5th, viz:

Messrs. Branham, Miller of Clinton, Miller of Tippecanoe, Mereith and Bird.

Mr. Stringer asked and obtained leave to withdraw resolution relating to contested seats, offered by him yesterday.

Mr. Shoaff of Jay offered the following resolution :

*Resolved*, That the newspaper reporters be allowed seats inside the Bar for the purpose of reporting the proceedings of this House.

Mr. Brown moved that said resolution be referred to a special committee of three.

The resolution was so referred.

Mr. Burns offered the following resolution :

*Resolved*, That the Doorkeeper of the House is hereby authorized to employ a sufficient number of aids to enable him to discharge the various duties of his office, and that he is also directed to procure three thermometers for the use of the House, by and with the consent of the Speaker of the House.

Which, on motion, was adopted.

Messrs. Benjamin F. Goodman, member elect from the county of Crawford, and John M. Humphreys, member elect from the county of Greene, came forward, presented their credentials, were sworn into office and took their seats.

Mr. Miller of Clinton offered the following resolution :

*Resolved*, That the Committee of Ways and Means be instructed to allow no claims to go into the Specific Appropriation Bill, which shall not have been presented at least ten days before the expiration of the session, unless the claims shall have accrued within or during the last twelve days of the session.

On motion of Mr. Newcomb,

The resolution was referred to the Committee on Ways and Means.

Mr. Veach offered the following resolution.

*Resolved*, That the Doorkeeper be instructed to procure and deliver three dollars worth of postage stamps to each member of the House, two dollars worth of one cent stamps and one dollars worth of three cent stamps.

Mr. White moved to refer said resolution to the Committee on Stationary.

The motion was lost.

Mr. Thatcher moved to amend said resolution by striking out one cent stamps and inserting two cent stamps.

Which was accepted.

Mr. Brown moved to refer said resolution to the Committee on Stationary and Stamps.

Which was agreed to.

On motion of Mr. Branham,

The House adjourned to meet at 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met.

The Speaker presented to the House the following communication from the Secretary of State.

STATE OF INDIANA, OFFICE SECRETARY OF STATE, }  
Indianapolis, January 6, 1865. }

*Hon. John U. Pettit, Speaker of the House of Representatives :*

SIR:—I have the honor to lay before the body over which you preside the accompanying papers in relation to the contested elections for Representatives, from the county of Putnam, wherein Higgins Lane and Ambrose D. Hamrick contest the seats, in said body, of Austin M. Puett and Samuel Colover; also, the papers in relation to the contested election for the Representative from the county of Clinton, wherein Thomas M. Hamilton contests the seat, in said body, of Cornelius J. Miller.

Very respectfully,

JAMES S. ATHON,  
*Secretary of State.*

On motion of Mr. Buskirk,

Said communication was referred to the Committee on Elections.

A message from the Senate by Mr. Whittlesey, their Secretary :

MR. SPEAKER :

I am directed by the Senate to report to the House of Representatives the following resolution, which has been adopted by the Senate :

*Resolved*, That the Secretary of the Senate inform the House of Representatives that the Senate has convened, Hon. Paris C. Dunning acting as President, has elected Azariah T. Whittlesey, of the county of Vanderburgh, as Principal Secretary, and Jacob S. Broadwell, of the county of Monroe, as Assistant Secretary, and recognized W. S. Montgomery, the Doorkeeper of the last Senate, as having the right to act as such until a Doorkeeper shall be elected, is now ready to proceed with the business of the session.

Message from the Senate by Mr. Whittlesey, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate



has adopted the following resolution, in which the concurrence of the House is respectfully requested.

Senators Downey and Van Buskirk have been appointed a Committee on the part of the Senate.

*Resolved*, That a committee of two on the part of the Senate, to act with a similar committee on the part of the House, be appointed to wait on His Excellency, the Governor, and inform him that the two Houses of the Legislature have organized, and are ready to receive any communication which he has to make, and to inquire of him when he will deliver his annual message.

*Resolved*, That the said committee arrange so as to have the message delivered to the General Assembly in joint session, and that in such joint session, immediately before the delivery of the message, the session be opened by prayer by some Clergyman, to be designated and invited by the committee.

On motion of Mr. Buskirk,

The message of the Senate was taken up and concurred in.

Messrs. Brown, McVey and Gregory of Montgomery were appointed said committee on the part of the House.

Mr. Branham moved that the speaker be authorized to employ for his own use and benefit a clerk.

Which was agreed to.

Mr. Buskirk, from the committee to revise the Rules of the House made the following report :

MR. SPEAKER :

The committee appointed to revise the Rules of the House and the Joint Rules of the two houses, have had the same under consideration, and have directed me to recommend the adoption of the Rules and Joint Rules of the last General Assembly, with one amendment; and when so amended, that three hundred copies thereof, with the Constitution of this State, be printed for the use of this House.

Amend the 58th Rule of the House by adding thereto the following :

Except that before the House passes to other business, a motion declaring it expedient to dispense with the constitutional rule requiring a reading on three several days, shall be privileged, and decided without debate.

H. J.—2

Which,  
 On motion,  
 Were laid on the table.

Mr. Brown, from the Joint Select Committee appointed to wait on the Governor, made the following report:

MR. SPEAKER:

The undersigned, Committee on the part of the House to act with a similar committee on the part of the Senate, and inform His Excellency, the Governor, of the organization of the two houses of the Legislature, have, in conjunction with the Senate, attended to the duties assigned them, and report that His Excellency will deliver his annual message to the General Assembly at 2½ o'clock this afternoon. The Senators will be provided with seats at the right of the Speaker's stand in the hall of the House. The session will be opened by prayer by the Rev. Aaron Wood, D. D., of the Methodist Episcopal Church; after which, the annual message will be delivered by His Excellency, the Governor.

*Resolved*, That the Senate be invited to repair to the Hall of the House of Representatives immediately, to hear the message of his Excellency Gov. Morton, and that seats be prepared on the right of the Speaker's chair for the Senate.

The Senate came into the Hall of the House and took their seats on the right of the Speaker's chair.

Mr. Brown offered the following resolution:

*Resolved*, That the Clerk of the House inform his Excellency, Oliver P. Morton, Governor, that the Senate and House of Representatives have assembled in joint session, and are ready to hear his message.

When the General Assembly of the State of Indiana was opened with prayer, by the Rev. Aaron Wood, D. D.

After which his Excellency, the Governor, delivered the following Message in the presence of both Houses:

*To the General Assembly of the State of Indiana:*

From the report of the Adjutant General, I am able to give the number of men who have gone into the military service of the United States from this State, from the beginning of the war until the first day of January, 1865:

## VOLUNTEERS TO JANUARY 1, 1862.

Infantry,	6 regiments 3 months.....	4,698
“	2 regiments 1 year men.....	1,698
“	48 regiments 3 years men.....	47,505
Cavalry,	3 regiments 3 years men.....	3,238
Artillery,	17 batteries.....	2,292
		<hr/>
		53,035

## UNDER CALLS FOR 1862.

Infantry,	1 regiment, 54th, 1 year.....	1,023
“	30 regiments, 3 years.....	28,272
Cavalry,	2 regiments, 3 years.....	2,437
Artillery,	7 batteries.....	978
		<hr/>
		31,687

## RECRUITS 1861,-'62, AND TO SEPTEMBER 5, 1863.

Infantry, 4,810; Cavalry, 537; Artillery, 499.....	5,846
	<hr/>
	97,987

## UNDER CALLS OF 1863 AND 1864.

Infantry,	4 regiments, 6 months men. ....	3,773
“	6 regiments, 3 years men.....	5,505
“	2 regiments, 1 year men (140th and 142d).....	1,880
Cavalry,	7th regiment.....	1,167
“	5 regiments .....	6,001
Artillery,	1 battery, 25th.....	144
		<hr/>
		14,697

## RECRUITS FROM SEPTEMBER 5, 1863, TO DATE.

Infantry.....	9,707	
Cavalry.....	1,347	
Atillery.....	1,298	
	<hr/>	12,352

Additional number shown by rolls in the Adjutant General's office, say.....	900
Additional for 28th U. S. colored volunteers .....	518
One hundred days volunteers, 8 regiments.....	7,129
Re-enlisted veterans.....	11,494
	<hr/>
	148,850

Drafted men and substitutes forwarded and in camp, as reported by Gen. Carrington, Sup't...	14,580	
Enlisted in regular army.....	1,110	
Enlisted in the navy.....	774	
	<hr/>	16,464

Total number of men furnished.....	165,314
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## RECRUITS FOR UNEXPIRED TERMS.

There is a peculiar hardship existing in regard to the recruits of 1862 for the old regiments. They undoubtedly enlisted upon the understanding that they were to be mustered out along with their regiments into which they went, and would not be held for three years from the time of their enlistment. This understanding was participated in by their recruiting officers, the general mustering officer stationed here by the Government, and by the State authorities. When the time came for mustering out their regiments, they demanded their discharge, which was refused. I presented the matter to the Secretary of War, who declined to act on it on the ground that the formal muster roll which they had signed, showed that they had entered into the service for the period of three years, and left him no discretion to interfere in their behalf. This was true; but, nevertheless, the understanding existed in full force, as the statement in the muster roll was explained by the mustering officer as a mere technical necessity. I afterwards addressed a memorial on the subject to Congress, stating all the facts, and inviting them to take action for the relief of these men, but they failed to do so at the time. I present the matter for your consideration, trusting that you will see fit to lay it before Congress.

## GALLANTRY OF INDIANA SOLDIERS.

The duty of appointing officers to command our regiments is full of responsibility and embarrassment. I have commissioned many whom I did not know, and for whose fitness I was compelled to rely entirely upon the opinion of others. But it affords me great gratification to state that the Indiana officers, as a body, have been found equal to those of any other State; that they have, upon every battle field, nobly sustained the great cause, and shed lustre upon the flag under which they fought. Many have been appointed to high commands, in which they acquitted themselves with the greatest honor and ability, and very many have nobly laid down their lives in battle for their country. Our private soldiers have behaved with uniform and distinguished gallantry in every action in which they have been engaged. They form a part of every army in the field, and have been among the foremost in deeds of daring, while their blood has hallowed every soil. Hitherto engaged in the peaceful pursuits of trade and agriculture, they have manifested that lofty courage and high-toned chivalry of which others have talked so much and possessed so little, and which belongs only to the intelligent patriot who understands well the sacred cause in which he draws his sword. Thousands have fallen the victims of an unnatural rebellion. They were fighting from deep convictions of duty and the love they bore their country. Their unlettered graves mark a hundred battle fields, and our country can never discharge to their memory and their posterity the debt of gratitude it owes. That gratitude should be testi-

nied by the tender care we take of their families and dependent ones whom they have left behind, and by the education of their children.

#### GETTYSBURG CEMETERY.

After the battle of Gettysburg, arrangements were made by the State of Pennsylvania for the establishment of a national cemetery upon the battle field, in which each State, having troops engaged, should have a place set apart for the burial of its dead. As Indiana lost many gallant and cherished sons in that great conflict, I took the responsibility of co-operating with Pennsylvania and other States, by the appointment of Col. John G. Stephenson as commissioner to select the place and superintend the removal thereto of our dead. These duties he faithfully performed, and for more full information you are referred to his report herewith submitted; and for an account of the expenses incurred, to the financial report of Mr. Terrell. For my action in this matter, your approval is respectfully solicited.

#### CARE OF SOLDIERS' FAMILIES.

I invite your immediate attention to the necessity of making an appropriation for the relief and support of the families of our soldiers. It is too well understood to require argument or statement, that the monthly pay which they receive, especially after deducting that part which their own wants in the field absolutely require them to expend, is wholly insufficient for the support of their families, at this period of high prices. The duty resting upon the people of the State to provide support, and prevent suffering and destitution in these cases, is also too clear for argument, and needs only to be stated to command general assent. If the relief be furnished in the manner proposed, the burden will fall upon all the people of the State according to their several capacities to bear it, and will be so light as to be scarcely felt, and will, I am sure, be cheerfully borne. It is an hour of great trial to the nation, and solemn duties are devolved upon the people, whether at home or in the field. Our soldiers are performing their duties gloriously, and to the admiration of the world. Let the people at home do theirs, and all will be well.

#### INDIANA STATE SANITARY COMMISSION.

I have thought proper to lay before you the report of Dr. Hannaman, President, and Alfred Harrison, Treasurer, of the Indiana State Sanitary Commission. Since its formal organization, on the 3d day of March, 1862, it has received contributions in money to the amount of one hundred and fifty-five thousand seven hundred and ninety-six dollars and forty-five cents, and supplies for the army valued at three hundred and thirteen thousand six hundred and five dollars and sixty-six cents, making an aggregate of four hundred and sixty-nine thousand and four hundred and two dollars and eleven cents. As to the man-

ner in which this money and these supplies have been expended and distributed, and the number, management, and operations of the various military agencies that have been established, the appointment of special surgeons, and traveling Sanitary Commissioners, you are referred to Dr. Hannaman's report. This Commission has been instrumental in preserving many lives, and relieving untold suffering and distress. It has received no support from the fairs held in the great cities, in which large sums have been realized, but has been sustained by a system of collections and voluntary contributions, on the part of our people, which are fully described by Dr. Hannaman. I am aware that as this Commission has not been established by law, and is not, therefore, legally responsible to the Legislature, it may be said, by some, that you should take no cognizance of it whatever, but as the people of the State have a right to know what disposition has been made of their patriotic gifts, and as the soldiers of Indiana are deeply interested in its continued success, which can only be maintained by preserving the confidence of the people in its integrity and efficiency, it is my desire, and that of all the officers engaged in its administration, that you should take cognizance of it, and institute such investigations, by a proper committee, as will establish its merits and claims to public confidence, or enable its enemies to point out its defects.

I cannot leave the subject without expressing to Dr. Hannaman my sincere thanks for the devotion, ability, and disinterested patriotism with which he has presided over its affairs. For more than two years he has entirely abandoned his own business, and given his time and labor wholly to the great work of relief to our sick and wounded soldiers, without reward or the hope of it, and has thus set a noble example before our countrymen of the spirit in which the burthens and duties of the war should be borne. Nor should I omit to return thanks to the Treasurer and all other officers of the Commission, for their devotion and efficiency in the discharge of their duties, and especially to the patriotic women of Indiana, by whose labors and influence the greater part of the contributions have been made. Their zeal has not been diminished by the protraction of the war, but has increased with the increasing wants of our soldiers, and while many have labored unceasingly with their hands, others have been most liberal, and often from very small means. They have their reward in the support they have given to the cause, and in the gratitude of the many thousands of brave hearts that they have made light and happy.

The duties of collecting back pay, pensions, and bounties for our soldiers and soldiers' widows and orphans, free of charge, I devolved upon the agencies established at Washington and in this city, nearly two years ago, and they have accomplished much good in that way. But I have not been able to employ the force necessary to meet the demands of a business so large and important, and I recommend that such legislation be had as will establish agencies upon a permanent basis, with a force sufficient to transact the business, and save the

claimants from the great sacrifice they may otherwise be compelled to make, many of whom are but poorly able to bear it.

#### SOLDIERS' VOTES.

Under the provisions of our Constitution, no person can vote except in the precinct in which he resides. This should be so amended, in my opinion, as to enable such of our citizens as are in the military service of the Government, and who would be entitled to a vote if at home, to vote wherever they may be, in camp or field, under such reasonable regulations and safe-guards as might be prescribed by the Legislature.

I can conceive of no greater political injustice, than the exclusion from the right of suffrage, of those gallant men who are absent from home, because they are fighting the battles of their country. I earnestly hope that immediate steps will be taken to relieve our Constitution of this injustice, and although it may not be accomplished in time to become operative during the war, it should not on that account be neglected.

#### LEGION.

It is important to the peace and security of the State, that we have a well organized and equipped Militia, which may be speedily called out in case of an emergency. To the officers and men of the Indiana Legion, the State chiefly owes the immunity she has enjoyed from invasion, plunder and murder, by the guerrillas and marauding bands which have infested many of the adjoining counties of Kentucky. On several occasions they met the enemy in battle, when they ably maintained the credit of the State, and behaved with that distinguished courage which has characterized the soldiers of Indiana throughout this war. Some have fallen in battle, and I earnestly recommend that their families be provided for, and placed upon a footing at least equal to the families of those who fall in the Federal service.

The organization, discipline and efficiency of the Militia should be encouraged and promoted by every means and inducement which the Legislature can present, and placed, if possible, upon an enduring basis. It should be so organized that every person capable of performing military duty, might in an emergency, be compelled to render military service, and the defence of the State not left to those only who enter voluntary organizations. Where all are equally interested, all should be subject to equal duties and obligations, and no Militia system can be regarded as efficient for the protection of the State, under which every able bodied man within military age cannot, upon an emergency, be called into the field. In this respect the present law is entirely wanting, and in many others is so defective as to make it a matter of surprise that the organization of the Legion should have been so efficient and well maintained as it has. I, therefore, call your attention to the necessity of so amending the law, as to



create a military organization that will be efficient and suited to the circumstances by which we are surrounded.

The very able report of Major General Mansfield, of the general operations and condition of the Legion for the last two years, is interesting and important.

#### QUARTERMASTER'S REPORT.

The report of the Quartermaster and Commissary General is herewith laid before you, and your attention especially called to its contents. The Administration of this department by General Stone has been highly successful and satisfactory.

#### EXPENDITURES OF THE PAYMASTER.

The State Paymaster, Major Stearns Fisher, has disbursed for all purposes the sum of two hundred and fifty-eight thousand six hundred and ten dollars and ten cents. Of this amount I advanced to him one hundred and seventy-one thousand six hundred and sixty-one dollars and eighty-eight cents, of which he repaid to me the sum of fifty thousand dollars. He drew, by my order, from the special military fund, created by the law of 1861, the sum of seventy-five thousand dollars. When this latter sum was refunded to me by the Government, upon filing with it the receipted pay-rolls, I paid the money into the State Treasury to the credit of the appropriation from which it was drawn, and from which he has drawn again, the sum of sixty-nine thousand eight hundred and forty-two dollars and nine cents. According to his report, which is herewith submitted, the whole amount of liabilities incurred to the Indiana Legion and minute men, for military services, is four hundred and nineteen thousand seven hundred and forty-two dollars and eight cents, of which amount the sum of two hundred and thirty-five thousand seven hundred and sixty-eight dollars and forty-six cents has been paid, leaving unpaid the sum of one hundred and eighty-three thousand nine hundred and seventy-three dollars and sixty-two cents. But the Paymaster has still in his hands the sum of twenty-seven thousand four hundred and seventy-three dollars and seventy-seven cents in cash, leaving the balance to be provided for.

#### DAMAGES BY THE MORGAN RAID.

In the month of July, 1863, the State was invaded by the rebel General John Morgan, and the forces under his command. In response to a call which I issued for military forces for the purpose of capturing and punishing this robber horde, our people flew to arms in numbers and with an alacrity before unknown in the history of the war. In a few short hours the invasion was converted into a fight, and the invaders all being mounted, were enabled to effect their escape over our eastern border into Ohio, where they were finally



captured. During their brief presence in the State, however, they inflicted much damage by the destruction of property, the plundering of stores, the stealing of horses and provisions, and robberies of various kinds. The true theory of our government is that it shall protect the people in their persons and property against invasion and loss from the public enemy, or injury by domestic insurrection. Where losses in property have been thus sustained, it is much easier for the people of the State to bear them in their collective capacity, than it is for the particular individuals upon whom they have fallen. In many instances, persons who lost their property in the Morgan raid were in humble circumstances, and were put to great inconvenience thereby, and in some cases reduced even to destitution. I therefore recommend that a commission be created, clothed with such powers as will enable them to make a full and careful appraisalment of the damages sustained, and that an appropriation be made to defray them out of the Treasury, when they have been legally assessed. As there is a natural tendency to exaggerate damages when they are to be paid for by the public, such safeguards should be adopted by the Commission as will prevent imposition upon the State.

#### • ARSENAL.

When our first regiments were ready to take the field, they were unprovided with ammunition, and as none could be readily procured, it became necessary to have it prepared. Colonel Sturm then was engaged for that purpose. He had studied the art in Europe, and was thoroughly instructed in all its details. He succeeded well in the enterprise from the beginning, and his ammunition was pronounced the very best in use. Thus was the Arsenal established, and as the demand for ammunition daily increased, and the necessity, so far from passing away, became constantly greater as the war progressed, what was first intended as a temporary convenience, became a large and permanent establishment. Colonel Sturm continued at the head of the establishment, managing it with great success and ability, preparing ammunition of every description for artillery and small arms, and not only supplying our own troops when going to the field, but sending immense quantities to the armies in the West and South. In several emergencies the armies in the West and South were supplied from here, when they could not procure it in time from other arsenals, and serious disasters thereby avoided.

Shortly after the Arsenal was fully established, it was brought to the attention of the War Department, and the ammunition having been thoroughly tested, the Government agreed to pay for what had already been issued, and to receive and pay for what should be prepared thereafter, at prices which were mutually satisfactory to both parties. These prices were generally below what the Government paid for ammunition, but such as, it was believed, would fairly indemnify the State for all costs and expenses incurred on that account.

The operations of the Arsenal were suspended during the session of the late Legislature, and its condition and results fully reported to that body. No legislative action having been taken in regard to it, and the necessity for its continued operations still existing in full force, I proposed to the Auditor and Treasurer of State, that they should co-operate with me in carrying it forward. This they declined to do on the ground that it was not authorized by law. Afterwards I determined to take the responsibility of continuing its operations, provided the Legislative Auditing Committee would examine and audit all items of expenditure that might be incurred on that account. To this the Committee agreed, upon condition that one of their number should be selected to be present at the Arsenal at all times, for the daily examination of its expenditures, and inspection of its operations. With this arrangement I was well satisfied, and the Committee selected the Hon. Samuel H. Buskirk for that duty. He continued in the performance of the duties thus assigned him with ability and industry, until the final winding up of the Arsenal, at which time the Committee made a full report of its operations, which is herewith submitted. It will be found from an examination of this report, and the detailed accounts of the Arsenal from the time of its starting, that it yielded a net cash profit to the State of seventy-one thousand three hundred and eighty dollars and one cent, (\$71,380.01,) besides having on hand, for future use, if necessary, all the tools and apparatus stored away in the Quartermaster's Department, valued at four thousand and two dollars and forty-four cents. All sums at any time drawn from the State Treasury, on account of the Arsenal, have been returned, and the profits only have remained in my hands, which I have charged against myself in the general account, and have used in defraying the expenses of the State Government. It was no part of the original plan that profits should result to the State from its operations, and they have sprung solely from the economical and skillful management, for which Colonel Sturm is entitled to the chief credit. Its original establishment and continuance were strictly a military necessity, and whether absolutely covered by the law or not, have been of great benefit to the State and the Government. It entailed upon me great responsibility and anxiety, from which I gladly escaped at the earliest moment.

#### EDUCATION.

Your attention is called to the report of the Superintendent of Public Instruction, and the suggestions and recommendations contained in it. The School Law requires amendment in several important particulars, and it is believed that the fund can be materially increased without adding to the burthens of the people of the State.

While Indiana has a larger school fund than any other State, she has not, by any means, the best system of common schools. Money alone will not make good schools, and an indispensable requisite is educated and disciplined teachers. The necessity for a State Nor-

mal School has been severely felt for many years, and earnestly urged by the most eminent teachers and friends of education. Indeed, I am satisfied from my own observation, and the recorded experience of other States, that our system of common schools can never even approach to what it ought to be, until an institution shall be established in which teachers shall be trained and disciplined for their high and honorable calling. A few thousand dollars diverted every year from the school fund revenue for this purpose, would soon make the expenditure of the balance vastly more beneficial to the children of the State. When we consider the magnitude of the school fund, the wealth of the State, and the ability of our people to pay taxes for the advancement of education, there is no reason why we may not have a system of common schools equal to that of any other State, save the absence of qualified teachers; and these we shall never have in sufficient numbers until a State Normal School has been permanently established, of sufficient capacity to receive and instruct all who desire to enter the profession of teaching.

#### DONATION OF LAND BY CONGRESS FOR AGRICULTURAL COLLEGES.

In presenting the subject of the donation of land by Congress for Agricultural Colleges, in the several States, I can not do better than repeat the recommendations of my former Message :

“On the 2d day of July, 1862, the Congress of the United States passed an act donating to each of the States not in rebellion against the Government, an amount of public lands equal to 30,000 acres for each Senator and Representative in Congress, to which the States are respectively entitled by the apportionment under the census of 1860. This entitles Indiana to 390,000 acres. Whenever there are public lands in the State, subject to sale at private entry at \$1.25 per acre, the quantity to which the State is entitled shall be selected from such lands; but if there are no such lands in the State, or not enough, the Secretary of the Interior is to issue to the State, land scrip for the requisite number of acres. This scrip can not be located by the State to which it is issued, but must be sold; but the purchasers may locate it upon any of the unappropriated lands of the United States, subject to sale at private entry at \$1.25, or less, per acre.

“There being no public lands in this State for sale at private entry, held by the Government at \$1 25 per acre, Indiana is entitled to receive her donation in scrip.

“This donation is made upon the following conditions: First—That all moneys derived from the sale of lands or scrip shall be invested in stocks of the United States, or of the States, or some other safe stocks yielding not less than five per centum per annum, on the par value.

“Second—That the monies invested shall constitute a perpetual fund, the capital of which shall never be diminished, except as hereinafter stated.

“Third—The interest on the stocks to be inviolably appropriated

by the State, to the endowment and support of at least one College in which the leading object shall be, without excluding scientific and classical studies, and including Military Tactics, to teach such branches of learning as are related to Agriculture and the Mechanic Arts.

“Fourth—If any portion of the fund thus invested shall by any contingency be lost, it shall be fully restored by the State.

“Fifth—That no portion of the said fund shall be applied to the purchase, repair, or erection of any building, but that a sum not exceeding ten per cent. of the original amount may be expended for the purchase of sites for experimental farms.

“Sixth—No State shall be entitled to the donation, unless the Legislature shall express its acceptance thereof, within two years from the date of the approval of the Act by the President.

I recommend that the Legislature promptly express its acceptance of the grant, pledging the faith of the State for the performance of the conditions upon which it is made.

“The necessity for scientific instruction in agriculture is generally acknowledged, and Congress intended by this magnificent donation to provide means for the permanent establishment of at least one efficient Agricultural College in each State.

“The question presents itself as to the disposition which shall be made of the grant. Shall it be given to the State University, or apportioned among all the Colleges of the State, upon such terms and conditions as the Legislature may prescribe; or shall a new Institution be created expressly designed to carry out the will of Congress? It may be difficult now to determine the question from the fact that we cannot know how much may be realized from the sale of scrip. If an amount should be realized large enough to endow respectable and successful Professorships in each of the Colleges now in the State, attaching to them experimental farms, it would perhaps be the best disposition of it that could be made. But if it should not be large enough for such division, which I apprehend will be the case, then I recommend that it be applied to the establishment of an Institution for Agricultural and Military instruction, to which the children of soldiers who shall die in the service during this war, shall be admitted free of charge.

“At the last session of Congress, the time was extended within which the States might accept the grant, and it is important that you take action upon it before the final adjournment.”

#### EMIGRATION.

It is not necessary to argue the importance of adding to the wealth and population of Indiana, by increasing the immigration to her borders from the various countries of Europe. The agricultural and mineral resources of the State are, as yet, comparatively undeveloped, for the want of population, labor and capital. Nearly one-fourth of the whole area of the State is a coal field, a large part of which is said to

be of the best quality. Excellent iron ore is found in vast quantities in many counties, and throughout the State, excepting a few small localities, the soil is rich and fertile, capable of producing all the grains and grasses in the greatest abundance. The State abounds in fine timber, and living streams of water, and in every respect presents facilities for an easy and profitable agriculture, while an abundance of coal and water power furnishes the means for manufacturing on the largest scale and cheapest terms. Large tracts of country are yet unsettled, and in many counties the population is quite sparse, and it is not too much to say, that the State can support in ease and comfort a population three or four times larger than the present. The war has made a heavy draft upon the labor of the State, which is now scarce and in great demand, and should be replenished and increased by every legitimate means. I therefore earnestly recommend the establishment of a bureau of emigration, upon a plan similar to that adopted by several of the Western States, providing for one or more agents in Europe, whose duty it shall be to furnish to persons about to emigrate to America, information of the geography, population, wealth and resources of the State, and the prospects for health, comfort, wealth and education, presented to those who come in search of new homes, and of such facilities for getting here as the State may be able to furnish. Some of our sister States have in this way added largely to their population and wealth, and while we are somewhat late in beginning, it will be later and worse for us the longer it be put off. In accordance with this view I have caused to be prepared and published, in both English and German, a pamphlet setting forth the condition and resources of the State, and presenting the inducements offered to emigrants from abroad, copies of which are herewith submitted.

#### COLONIZATION.

I recommend that the second section of an act, approved March 5th, 1853, which authorizes the State Board of Colonization to appoint an Agent, or Corresponding Secretary, be repealed. Since the passage of the act, I learn that nearly eight thousand dollars has been paid out in salaries to the Secretary appointed by the Board, and in that time but one man has been sent to Liberia from the State. This office is a mere sinecure, and the duties which have been attached to it by law, can be readily performed by the Secretary of State, should any arise in the future.

#### NEGRO TESTIMONY.

The statute which excludes negroes from testifying in courts of justice, in cases in which white persons are parties, is in my opinion, a stigma upon the humanity and intelligence of the State. The idea that the white race must be protected against the colored, by imposing on them this disability is absurd, and has been made the cover

and protection for much crime and injustice. As the law stands, murder may be perpetrated with impunity, by white persons in the presence only of colored witnesses, and it is well known that negroes are often employed by white persons as the instruments of crime and fraud because of their inability to testify in courts of justice. The interests of both races demand that this disability be removed, and if the fact of color affects credibility, that can be referred to the court and jury as in other cases, and would undoubtedly receive due consideration. Indiana and Illinois are the only free States whose statute books are dishonored by the retention of a law so repugnant to the spirit of the age, and the dictates of common sense.

#### ENUMERATION AND APPORTIONMENT.

Sections fourth and fifth of the Constitution of the State are in these words:

"Sec. 5. The General Assembly shall, at its second session after the adoption of this Constitution, and every six years thereafter, cause an enumeration to be made of all the white male inhabitants over the age of twenty-one years.

"Sec. 5. The number of Senators and Representatives shall, at the session next following each period of making such enumeration, be fixed by law, and apportioned among the several counties, according to the number of white male inhabitants above twenty-one years of age in each: *Provided*, That the first and second elections of members of the General Assembly, under this Constitution, shall be according to the apportionment last made by the General Assembly, before the adoption of this Constitution."

The enumeration required, of the white male inhabitants of the State, over twenty-one years of age, has never been made. An apportionment for Legislative purposes was enacted in 1857, and justice as well as the constitutional provisions require that a new one shall be made. Under the present law, which was very imperfect in the beginning, great inequalities existed in the representation in the Legislature, and these are rapidly increasing by the increase and changes in our population.

#### STATE TREASURER'S REPORT.

The condition of the Treasury will be presented in the report of Mr. Brett, State Treasurer. While I have had occasion to except strongly to his policy in several respects referred to in his message, it is but just to say that in others, the administration of his Department has been entirely satisfactory.

#### NATIONAL DIRECT TAX.

By the 6th section of an act of Congress approved August 6th,



1861, a direct annual tax of twenty millions of dollars was levied upon the United States, and apportioned among the several States.

The apportionment devolved the payment of \$904,875 33 on the State of Indiana.

By the 53d section of the Act it was provided that any State might assume, assess and collect its portion of the tax and pay the same into the Treasury, and if thus paid on or before the last day of June of the year which it was levied, should entitle such State to a deduction of fifteen per cent. of the gross amount to be paid by such State. The section further provides that notice of the intention of the State to assume and pay her portion of tax, without the intervention of the Federal officers, must be given to the Secretary of the Treasury by the Governor, or other proper officer, on or before the second Tuesday of February of each year in which the tax is to be paid. The section also contains this proviso: That the amount of direct tax apportioned to any State shall be liable to be paid or satisfied in whole or in part by the release of such State, duly executed to the United States, of any liquidated and determined claim of any such State, of equal amount against the United States; Provided, that in case, of such release, such State shall be allowed the same abatement of the amount of such tax as would be allowed in case of the payment of the same in money.

From the very beginning of the war, the State was compelled to advance large sums of money to equip and supply our volunteers, and in fact, furnished supplies of every kind until the Fall of 1861, and it was believed shortly after the passage of that act, that our advances, over and above all reimbursements, would soon be sufficient in amount to set off the amount of tax apportioned against the State. Accordingly I opened a correspondence with the Secretary of the Treasury on the subject, and ascertained from him that the advances made by the State on behalf of our troops would be regarded as a "claim" within the spirit and meaning of the Act, and would be admitted in payment of the tax to an amount which should be found due on settlement. After consultation with the Auditor, Treasurer and Secretary, of State, and in conjunction with them, on the —— day of December, 1861, I filed in the office of the Secretary of the Treasury at Washington, a paper, officially signed, of which a copy is herewith transmitted, in which we assumed that the State would pay her portion of the direct tax without the intervention of Federal officers, and proposing to set-off against the same a like sum due to the State for advances made in furnishing our troops, and to release the United States from further liability for the sum thus set-off and advanced against the tax. This paper was accepted by the Secretary of the Treasury, who thereupon declined to appoint the officers provided by the law to collect the tax within the State. On the —— of January, 1862, Mr. Lange, the Auditor of State, proceeded to Washington with the papers and vouchers embracing our claims against the Government up to the time, for the purpose of making settlement. He found, however, that the mode of settle-

ment with the several States had not been determined upon by the Treasury Department, and that the press of business in the Department was such as to prevent the taking up of our accounts. He was directed to file them in the Department to be taken up for adjustment whenever they could be reached. It then became obvious that our accounts would not be settled and adjusted by the last day of June, 1864, so as to be "liquidated and determined" within the meaning of the Act of Congress, as before quoted, and that after all, our set-off against the tax was about to fail.

Accordingly, I brought the matter to the attention of our Congressional delegation, and asked them to procure, if possible, such legislation as would facilitate the settlement of our accounts, and if that could not be done, to procure the extension of the time in which accounts could be filed and settlements made, so that the advantage of the set-off need not be lost. After much trouble and delay, they procured the passage of an Act, which was approved on the 13th day of May, 1862, the concluding part of which is as follows: "Provided, that in case of such release, such State, Territory or District shall be allowed the same abatement of the amount of such Tax as would be allowed in the case of the payment of the same in money," shall be construed as applying to such claims of States for reimbursement of expenses incurred by them in enrolling, subsisting, clothing, supplying, arming, equipping, paying and transporting its troops employed in aiding to suppress the present insurrection against the United States, as shall be filed with the proper officers of the United States before the thirtieth of July next. And in such case the abatement of fifteen per centum shall be made on such portion of said tax as may be paid by the allowance of such claims, in whole or in part, the same as if the final settlement and liquidation thereof had been made before the thirtieth day of June."

This act healed the difficulty, and under it we filed with the proper officers, anterior to the 30th of July, 1862, claims against the United States, due to the State, more than enough to cover the amount of tax due from the State, after deducting the fifteen per cent. from the gross amount.

By this operation, the State has saved fifteen per cent. of the original amount which is \$135,731 30, reducing the amount from \$904,875 33 to \$769,144 03, and the latter sum is set-off and paid by our advances. The arrangement is mutually advantageous to the State and General Government. It would do the Government no good to draw a large amount of money from the people of the State for taxes, while she is debtor to the State to a still larger amount, which indebtedness must sometime be paid by money raised by taxation. Besides this, the Government was in no condition to reimburse the State in the full amount of her advances, and if these advances were not used to pay the direct tax, the tax must have been collected from the people of Indiana immediately, while the advances would in all probability, remain as a suspended debt for years to come, on which the Government, if it followed former precedents, would pay no interest.



I respectfully recommend that the Legislature approve my action, and that of the State Officers, in the premises.

This subject was laid before the Legislature at its last session, but no action was taken in reference to it. The settlement of our accounts with the Government has progressed slowly, owing to the imperfection of many of the vouchers, growing out of the haste with which the business was done, and the inexperience of the officers in the beginning of the war. At the request of the Department I have made arrangements to send an Agent to Washington to co-operate with the accounting officers of the Government, and anticipate but little trouble in bringing the settlement to a speedy and successful issue.

#### BENEVOLENT INSTITUTIONS.

The late Legislature adjourned without making formal appropriations for the support of the Benevolent institutions, and the Penitentiaries. Without attempting to enter into the history of the transactions of that body, or the causes which led to its disruption, it is enough to say that it was so constituted, and adjourned under such circumstances, as forbade the idea of harmonious and beneficial action to the State, should it be re-assembled in extra session. The Auditor and Treasurer promptly decided that no money could be drawn from the treasury for the support of these institutions, because of the absence of legal appropriations for that purpose. To this conclusion I offered no objection, although in my own opinion, an appropriation for the support of the benevolent institutions was the clear legal result of the constitutional provision, and the statutes, creating them and providing for their support; and it is very certain that had the same liberal construction been adopted in regard to them, and the Penitentiaries, that was extended to the payment of the State Printer, they would all have been supported from the treasury.

As the matter stood, the operations of all these institutions—unless it was the Southern Penitentiary—must have been suspended, or I must procure money outside of the Treasury, with which to carry them forward. This I determined to do, if possible. The honor and humanity of the State demanded that the operations of the Benevolent Institutions should not again be suspended, and the peace and security of the State required that the convicts in the Penitentiaries should not be turned loose upon society before their time. The financial report will show that I was generously sustained by the constituted authorities of various counties, by many private persons, and by one railroad corporation, to all of whom I desire in the most public manner to return my thanks. The money thus obtained, added to the profits of the State Arsenal, was sufficient to support the Benevolent Institutions and Penitentiaries, and defray all other civil expenses, from the time the duty of providing for them devolved upon me until the first day of January, 1865, leaving a balance of the civil funds in my hands of \$8,768 95.

The annual reports of the Board of Trustees of the Benevolent Institutions are herewith laid before you, from which it will appear that when the high prices of all articles that enter into their consumption are considered, that they have been carried on with more economy, and at less cost, than at any former period in their history. This statement, I am advised, is fully sustained by a careful examination and comparison of the report of their expenditures from the time of their establishment.

#### PENITENTIARIES.

The Northern Prison, located at Michigan City, is the one with which I have had most to do. It has, I believe, been well and economically managed, for which much credit is due to its Warden, Thomas Wood, Esq., and to its Board of Trustees. In this connection, I beg leave to call the attention of the Legislature to the remarks in my former message in reference to the construction of that Prison, and the debt contracted for the building of shops in 1862.

“At the regular session of the Legislature in 1861, the sum of 10,000 dollars was appropriated for the purchase of materials and construction of the Northern Prison, located at Michigan City, for the year 1861, and a like sum for the year 1862. At the extra session in 1861, the sum of \$30,000 was appropriated for material and construction of the Northern Prison, and for the support of convicts, and the payment of the expenses incurred for the month of January, 1861.

“At the same session a law was passed for the transfer of 200 convicts from the Southern Prison, at Jeffersonville, to the Northern Prison, but no provision was made for their return in case their labor should not be required. At the same session an act was passed providing that all persons sent to the Penitentiaries from counties north of the National Road should be confined in the Northern Prison. The work in the construction of the Prison was vigorously pressed in the summer and fall of 1861, and it was found necessary, by the Board of Directors, in order to keep the convict labor employed, to anticipate, and draw upon the appropriation made for the construction of the Prison in 1862; so that when the work for the year 1861 was closed up, there remained unexpended of the fund appropriated for the construction of the Prison in 1862, but about 3,000 dollars. It was apparent, then, that the labor of the convicts could not be employed in the construction of the Prison during the year 1862, for the want of means with which to purchase the necessary materials. The labor of the convicts could not be leased or hired out to contractors for the want of shops in the Prison in which they could be employed. To work the convicts out of the Prison and about the town, would be so expensive, in the employment of guards, as to make their labor unprofitable, besides there was no authority for doing so, except as connected with the construction of the Prison.

“As the matter stood, it was inevitable that the convict labor should be almost wholly unemployed throughout the year 1862, and must so continue until the prison shops were constructed; when the labor might be hired to contractors, as in other prisons. If the shops were constructed in 1862, this labor could be made remunerative through 1863, but if not constructed until 1863, this could not happen until 1864. It was evident that the State would sustain a great loss by the delay in the construction of the shops, and accordingly the Board of Directors convened in this city in February last, and myself and other State officers were invited to be present for consultation; and after full consideration of the subject, it was believed by all to be clearly to the interest of the State that the work of construction of the shops should be commenced at the earliest moment, provided the contract could be let at fair prices, and the contractor, being fully advised of the condition of affairs, should be willing to await the action of the Legislature for his pay. The Board of Directors then proceeded to advertise for proposals for the work, and a public letting was had. I directed Mr. John B. Stumph, of this city, reputed to be an honest and capable builder, to be present at the letting, and see that the contract was properly made, and in accordance with the plans and specifications before that time adopted by the State for the construction of the shops. The contract, I have every reason to believe, was fairly made, upon terms, as I am informed, fifteen per cent. below the original contract for the same work, and at least twenty per cent. below what the same work could now be let for in cash. The shops have been completed, and Mr. Stumph was again directed to examine and measure the work; his report of the letting, quality and measurement of the work is herewith submitted. In view of the early completion of the shops, the Board of Directors were able to lease the labor of the convicts upon terms highly favorable to the State. This business is a proper subject for legislative investigation, which I hope will be promptly made, and that means will be speedily provided to pay the contractor the amount which shall be found to be honestly due.”

To what I have here said, I will only add that the shops, the construction of which I authorized in 1862, would now cost at least seventy-five per cent. more than the price for which they were contracted, and that without them the convict labor of the prison could not have been made available. Justice requires that an appropriation to pay for them should be made without delay.

#### MILITARY EXPENDITURES.

Upon the adjournment of the Legislature, I found myself unprovided, with the exception of a small balance of the military contingent fund, with money or appropriations for military purposes. New regiments could not be raised under the requisitions of the Government, nor recruiting carried forward, without the use of large sums of money. The Legion had received no pay for their services from

the beginning of the war, and the organization could not be successfully continued unless payment was made, and the men reimbursed for their actual expenditures, for which the appropriation for the Legion fund, made in 1861, was inadequate. The Southern border was still disturbed by threats and danger of invasion, and such steps were to be taken, if possible, as would guarantee peace and security to our people. In this dilemma, I determined to apply to the President for an advance under an appropriation made by Congress, on the 31st of July, 1861, which Act is in these words:

*“Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of two millions of dollars be, and the same is hereby appropriated, to be expended, under the direction of the President of the United States, in supplying and defraying the expenses of transporting and delivering such arms and munitions of war as in his judgment may be expedient and proper, to place in the hands of any of the loyal citizens residing in any of the States, of which the inhabitants are in rebellion against the Government of the United States, or in which the rebellion is, or may be threatened, and likewise for defraying such expenses as may be properly incurred in organizing, and sustaining while so organized, any of said citizens into companies, battalions, regiments, or otherwise, for their own protection against domestic violence, insurrection, invasion, or rebellion.”*

After a full consideration of the condition of affairs in Indiana, the President advanced to me, as a disbursing officer, out of said appropriation, the sum of two hundred and fifty thousand dollars (250,000). It will be perceived that this money was not paid to me as a loan to the State, or an advance to the State upon debts due to her from the General Government, and creates no debt against the State whatever, but that in theory it is an expenditure made by the President through me as his disbursing agent. It has, however, been disbursed exclusively in the name and for the benefit of the State, in the payment of necessary military expenses, for which the State should have made ample appropriations. I have advanced to the Paymaster of the State forces, at different times, the sum of \$171,661 88, of which the greater portion, however, has been reimbursed to me by the General Government, upon my filing in the proper Department the receipted pay-rolls of the Indiana Legion, for services rendered in the war. For a detailed account of the expenditures of the military fund, the Legislature is referred to the financial report of Hon. W. H. H. Terrell, Financial Secretary, which is herewith submitted, and to the vouchers on file in this Department. All of these expenditures were laid before the Auditing Committee, appointed by the late Legislature, for examination, and received their approval. As will be shown by the report, I had on hand on the 1st day of January, 1865, of the military fund, the sum of \$115,487 28, and the question is now presented as to the proper method of settle-

ment with the Government for this fund. One of two ways may be adopted. *First*, by returning to the Government the balance of the fund unexpended, and by settling with it for the amount expended, upon vouchers of expenditures, after the same shall have been approved by the Legislature, and this would be in accordance with the theory upon which the money was originally advanced by the President. *Second*, by paying into the State Treasury the unexpended part of the fund, and treating the whole as an advance to the State, to be accounted for by her in her general settlement with the Government for advances made. This latter plan is, in my judgment, more consonant with justice and the honor of the State, the money having been expended for purposes for which the State was honorably and patriotically bound to make provision.

## FINANCIAL STATEMENT.

Total amount of cash received by me is.....	\$1,026,321 31
I have disbursed—	
For civil purposes, on vouchers.....	\$199,644 93
For military purposes, on vouchers.....	702,420 15
Total.....	902,065 08
Leaving a balance in my hands of.....	\$124,256 23

Of this balance, \$8,768 95 belongs to the funds received on account of civil expenses, and \$115,487 28 on account of funds received for military expenses.

In conclusion, on this subject, I respectfully request that a joint committee of the two Houses be speedily appointed to investigate the civil and military expenditures I have made since the adjournment of the last Legislature, and to examine the vouchers for the same on file in my Department, and that the Legislature will make prompt provision for the re-payment of the money I have borrowed for public purposes. It was advanced from patriotic motives, with a full reliance upon the good faith of the State for its reimbursement, and without it the machinery of the State Government could not have been kept in motion.

I appointed the Hon. W. H. H. Terrell as Financial Secretary, and placed under his care and management the examination and settlement of all accounts. He deserves great credit for the ability and success with which he has conducted the business, and I desire, in this public manner, to express to him my thanks for his services. His report is herewith submitted as an accompanying document.

## INTEREST ON THE STATE DEBT.

Shortly after the Legislature adjourned, the question was sprung as to the existence of legal appropriations for the payment of the interest upon the public debt, and the opinion of Mr. Hord, Attorney

General, was published denying their existence and any power to withdraw the money from the treasury to pay the interest, which opinion was endorsed and acted upon by Mr. Ristine, the Auditor of State. Believing that the question had its origin in political considerations, and that there was little room to doubt as to the legal right and duty of the Treasurer to remit the money to New York to pay the interest, I at once took issue with these gentlemen. The State had failed to pay the interest upon her bonds from 1841 to 1847, during which time she acquired a reputation for repudiation and bankruptcy, from which she only recovered after many years of faithful discharge of her obligations. The dark cloud which had thus been placed upon her financial character had seriously retarded her growth in wealth and population, by deterring emigration from her borders. In 1846 she effected a compromise with most of her creditors by the transfer of the Wabash and Erie Canal for one-half of their debt, and the issuing of new stocks for the other half, upon which she solemnly pledged herself to pay the interest semi-annually. This pledge, and the legislation had in pursuance of the compromise, was treated by Governor Whitcomb and the various officers of State, as a valid appropriation of the money necessary to pay the interest under the old Constitution, which, upon this subject, is like the present. In 1850, the framers of the new Constitution, by the 20th section of the 10th article, solemnly ratified this contract with the bondholders, by appropriating all the revenue of the State, derived from taxation for general State purposes, after defraying the ordinary expenses of the State Government, to the payment of the interest and the liquidation of the principal of the public debt. It was clearly the purpose of the new Constitution to place the credit of the State beyond the contingency of dishonor by acts of omission or prohibition on the part of the Legislature. Under the new Constitution, further legislation to pay the interest was not deemed necessary, and this construction was acted upon by all administrations down to 1863; although perhaps in one case a formal appropriation was made, without any definite purpose. An action for a mandamus against the Auditor, was commenced by Mr. W. H. Talbott, President of the Sinking Fund Board, for the avowed purpose of having the question settled, which was carried through the Circuit and Supreme Courts, and resulted in a decision by the latter against the existence of an appropriation. Without intending any disrespect to the eminent tribunal by which this case was decided, I must be permitted to observe that the history of its origin, progress and conclusion, was such as to deprive it of any moral influence, and that the principles upon which the decision was made have been since openly disregarded by the Auditor and Treasurer of State, in the payment of large sums of money to the Public Printer.

But leaving out of view wholly who was right or wrong upon the legal question, it was a matter of the first importance that the obligations of the State should be promptly met, and her credit rescued from the disaster of a new dishonor. It had received a shock in the discovery and exposure of the Stover forgery of our State stockse

amounting to nearly three millions of dollars, from the evil consequences of which it was relieved only by a determined effort on the part of the State authorities to bring the criminals to justice. No argument was required to prove that should it again become impaired by a serious failure upon the part of the State to meet her engagements, it could not be restored during this generation, and the progress of the State in wealth and population would receive a serious check. Determined, if possible, to avert the threatened calamity, I went to New York and laid the whole matter before the House of Messrs. Winslow, Lanier & Co., with the request that they should advance the amount necessary to pay the interest until such time as the Treasury might be unlocked, and the money obtained therefrom. My request was generously met, and after full consideration, acceded to, provided a correct list of the stockholders could be obtained. It is proper to state, that in making this arrangement, no stipulation was asked for or given, in regard to the compensation they should receive for the use of their money, and the risk and trouble they should incur; but the whole matter was referred to the future action and good faith of the State. They at once notified John C. Walker, Agent of State, of their readiness to pay the interest, and asked him to furnish from his books a list of the stockholders, for the making out of which they offered to pay. This he peremptorily refused, and denied access to his books, from which they desired to copy the list. They then proposed to him that he should pay the interest in the usual way, upon his own books, agreeing to honor his checks issued therefor, at the same time exonerating him from all personal liability for any moneys so paid. This offer was likewise refused. The correspondence between Winslow, Lanier & Co. and Walker, upon this subject, is herewith submitted for your consideration. As Messrs. Winslow, Lanier & Co. would not take the responsibility of paying, in the absence of a correct list, owing to the existence of a large amount of spurious stocks, which otherwise they had no means of detecting, the interest which fell due on the first day of July, 1863, went unpaid.

Determined not to be defeated, if possible, in the effort to preserve the credit of the State, I attempted to secure from other sources a correct list of the stockholders, and in this attempt succeeded in November. In the mean time the necessity for action had become more manifest and imperative than before. While the American stockholders had a correct knowledge of the state of affairs, and but few stocks were changing hands or being offered in the market, the case was quite different with our stockholders in Europe. In Europe, American politics are always badly understood, and the principal fact which they clearly comprehended was that they did not receive their interest. They associated this failure with that of 1841, and began to say that there was some strange fatality attending Indiana securities, and declared their intention of sending them back to America and getting clear of them at once and forever. Such a measure would have given the State a bad name abroad, seriously affecting



emigration to her borders, and would have been followed by great depreciation and loss of credit throughout the United States.

Having presented the list to Messrs. Winslow, Lanier & Co., they promptly renewed their offer, and gave public notice that they would pay the bank interest which fell due in July, and afterward gave further notice that they would pay the interest accrued on the first day of January, 1864, the first day of July, 1864, and the first day of January, 1865, and up to the 31st of November last, as I am advised, had paid out \$416,677 08. How much they have paid since the 1st of January, 1865, I am not advised, but presume it will make the aggregate as much as \$575,000. The noble and generous conduct of this house should and will be appreciated by the people of Indiana, and Mr. Lanier, in his clear comprehension and able management of the affair has displayed not only financial ability, but a broad statesmanship not often exhibited in financial affairs.

I trust that the generous confidence which he has reposed in the good faith of the people of Indiana, will not be disappointed, and that the Legislature will hasten to reimburse him for the money he has expended, and indemnify him for the use of it, and for the trouble he has incurred.

In conclusion, upon this subject, I am glad to be able to say that the credit of the State has been fully preserved, and that her stocks now command a higher price relatively in the market, when compared with the stocks of other States bearing like interest, than at any former period in her history.

John K. Gapin, Esq., who was Clerk in the office of the State Agent, during the incumbency of Colonel R. N. Hudson, was appointed by me to prepare the books and make the payment of the interest on the State debt, as the banking house of Messrs. Winslow, Lanier & Co., and under their general direction and supervision. He has performed that duty with ability, and to the satisfaction of all parties, and thus far without compensation. I recommend that provision be made to pay him liberally for his valuable services.

#### STATE DEBT AND SINKING FUND.

The subject of the State debt and Sinking Fund will be reserved for a special communication to the Legislature at another time.

#### EXECUTIVE DEPARTMENT.

The labors in the Executive Department have been greatly increased by the war, and by the peculiar condition of the State Government for the last two years. The force which I have employed is small compared with the amount of work which has been done. Much responsibility has been devolved upon the Financial and Military Secretaries, and their labors have been most arduous. Colonel Wm. H. Shlater has performed the duties of Military Secretary for more than three years with marked ability and fidelity, and to the satisfaction of



myself and the army. Captain Geo. H. West and Captain John M. Commons have performed with efficiency and to my entire satisfaction the labors appertaining to their desks. Col. John C. New, an able and efficient officer, has succeeded to the place held by Colonel Terrell, who has been appointed Adjutant General, which office had been most ably filled by General Laz. Noble.

#### ELECTIONS AND CONSPIRACIES.

While engaged in a civil war of gigantic proportions, a Presidential election has quietly taken place, and the results have been peaceably and readily acquiesced in, and the bitterness and personal animosities which are usually engendered in such a contest, have passed away as speedily and perfectly as at any former period in our history. The ability of the people to come together under such circumstances, and peaceably elect a chief magistrate, has been regarded alike by the friends and enemies of republican institutions as the great test of their capacity for self-government, and accordingly we find that the result of the late elections has made a profound impression throughout the old world, and has given renewed assurance of the perpetuity of our Government.

I congratulate you on the returning harmony of the people of our State, and that the dangers which threatened us with internal dissensions have apparently passed away. Some misguided persons who mistook the bitterness of party for patriotism, and ceased to feel the obligations of allegiance to our country and Government, conspired against the State and National Governments, and sought by military force to plunge us into the horrors of revolution. A secret organization had been formed, which, by its lectures and rituals inculcated doctrines subversive of the Government, and which, carried to their consequences, would evidently result in the disruption and destruction of the nation. The members of the organization were united by oaths, which, if observed, bound them to execute the orders of their Grand Commanders, without delay or question, however treasonable or criminal might be their character. I am glad to believe that the great majority of its members regarded it merely as a political machine, and did not suspect the ulterior treasonable action contemplated by its leaders, and upon the discovery of its true character, hastened to abjure all connection with it. Some of the chief conspirators have been arrested and tried by the Government, and others have fled; their schemes have been exposed and baffled; and we may reasonably hope that our State may never again be endangered and dishonored by the renewal of these insane and criminal designs.

#### THE WAR.

We are in the midst of a bloody civil war, forced upon the Government by the rebellious inhabitants of certain States. The theory upon which this war was begun was the pretended right of a State

to withdraw from the Union whenever its rights under the Constitution of the United States were violated, of which violation it had the exclusive power to judge and determine. This claim was founded upon the dogma that the Union was a compact of sovereign and independent States, to which they were parties in their municipal character; that the United States were not a nation, but an aggregation of nationalities united in a co-partnership for certain purposes, and upon certain conditions, which were contained in the articles of co-partnership known as the Federal Constitution. The exercise of the right of secession, or withdrawal from the Union, was justified by the allegation that the people of the Northern States had violated their constitutional obligations by refusing to capture or permit to be captured in their midst, fugitive slaves escaping from their masters, and by various other acts of hostility to the institution of slavery; and by the further declaration that there was good reason to believe that the Government of the United States, under the administration of Mr. Lincoln, would perform acts of violence subversive of the prosperity and even the existence of slavery. To have conceded the right claimed, and permitted any number of States peaceably to withdraw from the Union, would have involved not only the destruction of the Government, but the absolute dissolution of the nation, breaking it into as many fragments as there are States, each claiming sovereignty and independence as to all the others. When the war was begun, therefore, there was but one of two things for the Government to do, either to suppress the rebellion and assert its integrity as a nation, or to abdicate its authority and confess itself without right to enforce its decrees and perpetuate its existence, by conceding the want of national unity and the right of secession. It must be admitted that between these two there was no middle ground, and the Government was at once forced to a choice between national life and national death, the life only to be preserved by the total suppression of the rebellion that menaced it. Between these contending theories there could, in the nature of the case, be no compromise, as they were utterly antagonistic and irreconcilable. The rebellion was begun upon an alleged right upon which it must stand or fall, and was resisted by the Government upon the ground that its own life could not be preserved, if the existence of this right were in any manner or to any extent conceded.

It is hardly worth while to consider what would be our condition if this rebellion were successful. The most thoughtless or stupid mind cannot fail to perceive that the several States, fragments of a once powerful and happy republic, could not live together in prosperity and peace; but that war following upon war, anarchy and the destruction of personal liberty, would inevitably result, to be succeeded by the night of despotism, burying in utter darkness the fair hopes and glorious prospects which once illuminated our national horizon. Whatever it may cost us to preserve the Union, we may be assured it will cost us everything to lose it. A refusal to prosecute the war because it is expensive, would not be unlike the case of a man

who should resolve to die because the employment of a physician would embarrass his financial affairs. Nor would it be less absurd to refuse to sustain the Government and prosecute the war upon the pretence that by so doing constitutional rights and personal liberty would be endangered, when we know perfectly well that if the rebellion succeeds, civil and religious liberty and constitutional rights, of whatever kind, will be overwhelmed in one common ruin.

Let us hope that human slavery, which has ever been the source of national dissensions and heart burnings; which from the beginning has arrayed our people into classes, and fretted them into mutual hatreds, and for the preservation and prosperity of which it has been solemnly avowed that this mighty war and most bloody rebellion were begun and are prosecuted, has received its mortal wound, and will soon be consigned to the common grave of loathsome tyrannies, from which there is no resurrection. Should the Congress of the United States pass a joint resolution to prohibit slavery, or involuntary servitude, throughout the United States, I do most earnestly hope that the people of the several States will hasten to give it their solemn sanction, so that it may pass into our fundamental law, and go out to all the world that our country is in fact, as in name, "the land of the free," as well as "the home of the brave."

O. P. MORTON.

EXECUTIVE DEPARTMENT,  
*Indianapolis, Indiana, Jan. 6, 1865.*

The Senate then retired to their chamber.

Mr. Branham moved to adjourn till 9 o'clock to-morrow morning.  
Which was agreed to.

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SATURDAY MORNING, 9 o'clock, }  
January 7th, 1865. }

House met.

Journal read and approved.

Mr. Branham introduced the following resolution:

*Resolved*, That the Senate be invited to attend in this Hall on Monday, the 9th of January, at 3 o'clock, P. M., for the purpose of opening and publishing the returns of the election for Governor and Lieutenant Governor.

Mr. Newcomb moved to strike out 3 o'clock and insert 2 o'clock.

The resolution, as amended, then passed.

Elijah M. Spencer, a member from the county of Posey, came forward, presented his credentials, and was sworn into office by the Speaker, and took his seat.

Mr. Whiteside offered the following resolution :

*Be it resolved by the House of Representatives*, That soldiers of the Revolution, of the war of 1812, of the war with Mexico, and of the war for the suppression of the Southern Rebellion, be invited to take seats inside the bar of the House whenever they shall be present during the sitting of this Legislature.

Mr. Brown moved to lay the resolution on the table..

Motion withdrawn, and Mr. Dunham moved to amend by inserting "outside the bar."

Which was agreed to.

The question then being on the resolution as amended,

The resolution was not adopted.

Mr. Meredith introduced

Joint Resolution No. 1. A joint resolution proposing an amendment to the Constitution by striking out the 13th article thereof:

*Be it resolved by the General Assembly of the State of Indiana*, That the following amendment be proposed to the Constitution of the State and submitted to the electors for their adoption or rejection; *Provided*, The same is agreed to by a majority of all the members elected to each House of the General Assembly, chosen at the next general election, to-wit:

That Article XIII of the Constitution, which reads as follows :

SEC. 1. "No negro or mulatto shall come into or settle in the State after the adoption of this Constitution.

"SEC. 2. All contracts made with any negro or mulatto coming into the State contrary to the provisions of the foregoing section, shall be void; and any person who shall employ such negro or mulatto, or otherwise encourage him to remain in the State, shall be fined in any sum not less than ten dollars or more than five hundred dollars.

SEC. 3. "All fines which may be collected for a violation of the provisions of this article, or of any law which may hereafter be passed for

the purpose of carrying the same into execution, shall be set apart and appropriated for the colonization of such negroes and mulattoes, and their descendants, as may be in the State at the adoption of this Constitution, and may be willing to emigrate

"SEC. 4. The General Assembly shall pass laws to carry out the provisions of this Article:"

Be stricken therefrom.

Which was read the first time and passed to the second reading.

On motion of Mr. Coffroth, it was

*Resolved*, That the Committee on Corporations be instructed to inquire into the expediency of enacting a passenger and freight tariff for the Railroad Companies of the State.

Mr. Buskirk moved to take from the table the Report of the Select Committee on Rules.

Which was agreed to.

On motion,  
The Report was concurred in.

Mr. Gregory asked and obtained leave to introduce

• House Bill No. 1. An act to increase the salary of the Governor of the State of Indiana, and to repeal the first clause of the first section of an act relating to public officers, and providing the manner of paying the same, and the manner of reimbursing the State for the increase of salaries, approved March 5, A. D., 1859.

Which was read the first time, and passed to a second reading.

Mr. Sullivan, a member from the County of Posey, came forward, presented his credentials, was sworn by the Speaker, and took his seat.

Mr. Gregory moved to suspend the rules and read House Bill No. 1 a second time.

Mr. Dunham and Mr. Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burns, Buskirk, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory, of Montgomery, Gregory, of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, James, John-

son, Kilgore, Lockhart, Major, Meredith, Miller, of Tippecanoe, Montgomery, McVey Olleman, Prather, Puett, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Steward, Stiver, Stringer, Sullivan of Posey and Vanderburgh, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Wright, Zeigler and Mr. Speaker—58.

Those who voted in the negative were,

Messrs. Abbett, Beckett, Bird, Brown, Burton, Burwell, Coffroth, Collins, Colover, Croan, Dunham, Glazebrook, Gregg, Hargrove, Harrison, Howard, Humphreys, Hunt, Lasselle, Lemon, Lopp, Miller of Clinton, Milroy, Newcomb, Osborn, Patterson, Perigo, Richards, Richardson, Roach, Shoaf of Allen, Shoaf of Jay, Spencer, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach and White—39.

Mr. Newcomb moved to reconsider the vote just given.

Mr. Dunham moved to lay the motion of Mr. Newcomb on the table.

Messrs. Dunham and Shoaff demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Beckett, Bird, Brown, Burton, Burwell, Coffroth, Collins, Colover, Croan, Dunham, Glazebrook, Gregg, Hargrove, Harrison, Howard, Humphreys, Hunt, Lasselle, Lemon, Lopp, Miller of Clinton, Milroy, Osborn, Patterson, Perigo, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Spencer, Stenger, Stuckey, Sullivan of Scott, Thatcher, White—37.

Those who voted in the negative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burns, Buskirk, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Puett, Reese, Rhoads, Rice, Riford, Sabine, Shuey, Sim, Steward, Stiver, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Veach, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—60.

The question recurring on the motion to reconsider.

Mr. Coffroth moved to adjourn till 2 o'clock.

Which motion was lost.

Question again recurring on the motion to re-consider.

It was agreed to.

The question recurring on the motion of Mr. Gregory to suspend the rules.

Pending which,  
The House adjourned till 2 o'clock P. M.

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2 O'CLOCK, P. M.

House met.

The Speaker being absent,  
Mr. Buskirk moved that Mr. Newcomb be called to the Chair.  
Which was agreed to.

Mr. Newcomb in the Chair.

Question pending being on the motion of Mr. Gregory of Warren.  
to suspend the rules and read House bill No. 1 a second time.

Mr. Gregory withdrew the motion.

Mr. Miller of Tippecanoe renewed the motion.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burns, Chambers, Church, Cook, Cox, Crook, Emerson, Farris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, James, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Puett, Reese, Rhoads, Rice, Riford, Sabine, Shuey, Sim, Steward, Stiver, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler—55.

Those who voted in the negative were,

Messrs. Beckett, Bird, Brown, Burton, Burwell, Buskirk, Collins, Croan, Dunham, Glazebrook, Gregg, Hargrove, Howard, Harrison, Humphreys, Hunt, Lasselle, Lemon, Lopp, Miller of Clinton, Milroy, Osborn, Patterson, Perigo, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Spencer, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach, and White—37.

Mr. Kilgore moved that when the House adjourn, it adjourn until 2 o'clock P. M. on Monday.  
Which was agreed to.

Mr. Howard asked and obtained leave of absence till Thursday next.

On motion,  
Adjourned.

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MONDAY AFTERNOON, 2 o'clock, }  
January 9, 1865. }

The House met.

The Journal was read and approved.

Mr. Newcomb offered the following resolution :

*Resolved*, That the Senate be invited to meet in the hall of the House, instantler, to witness the counting of the votes for Governor and Lieutenant Governor, and that seats be provided for them on the right of the Speaker's chair.

Which,

On motion,  
Was adopted.

Mr. Stringer asked leave of absence for Mr. Gregory of Warren, until to-morrow 2 o'clock, P. M.

Leave was granted.

The Senate then, in pursuance of the invitation of the House, came into the Hall of the House preceded by the President of the Senate,

When the joint session was called to order by the President of the Senate.

The President then said,

GENTLEMEN:—We have assembled in joint convention, under the provisions of Section 4, Article V., of the Constitution of the State of Indiana, which reads as follows :

“SEC. 4. In voting for Governor and Lieutenant Governor, the Electors shall designate for whom they vote as Governor and for



whom they vote as Lieutenant Governor. The returns of every election for Governor and Lieutenant Governor shall be sealed up and transmitted to the seat of government, directed to the Speaker of the House of Representatives, who shall open and publish them in the presence of both houses of the General Assembly."

The Speaker of the House of Representatives will now proceed to open and publish the returns for the election of Governor and Lieutenant Governor of the State of Indiana.

The Speaker of the House of Representatives then, in presence of both houses of the General Assembly, proceeded to open the returns of the votes cast for Governor and Lieutenant Governor of the State of Indiana, on the 11th day of October, 1864, and, on counting all the votes returned, it appeared therefrom that for the office of Governor

Oliver P. Morton had received 152,084 votes,  
Joseph E. McDonald had received 131,201 votes.

Oliver P. Morton, having received a majority of all the votes cast, was, by the President of the Senate, in the presence of both houses of the General Assembly of the State of Indiana, declared duly elected Governor of the State of Indiana, to serve as such for the term of four years, from and after the second Monday in January, A. D. 1865.

For the office of Lieutenant Governor, it appeared, from the returns aforesaid

Conrad Baker had received 147,795 votes,  
Mahlon D. Manson had received 131,656 votes.

Conrad Baker, having received a majority of all the votes cast, was, by the Speaker of the House of Representatives, in the presence of both houses of the General Assembly, declared duly elected Lieutenant Governor of the State of Indiana, for the term of four years, from and after the second Monday of January, A. D. 1865.

Conrad Baker was then sworn into office by the Hon. R. C. Gregory, one of the Judges of the Supreme Court.

On motion of Mr. Buskirk,

*Resolved*, That a committee of five—three upon the part of the House and two upon the part of the Senate—be appointed to wait upon his Excellency, Oliver P. Morton, Governor elect of the State of Indiana, and upon Conrad Baker, Lieutenant Governor elect, and inform them of their election to said offices respectively.

H. J.—4.

The President of the Senate then appointed Messrs. Beeson and Williams on the part of the Senate, and Messrs. Buskirk, Newcomb and Kilore on the part of the House as said committee.

Gov. Oliver P. Morton appeared in the Hall of the House of Representatives, and, being sworn into office by Hon. R. C. Gregory, one of the Judges of the Supreme Court, delivered the following inaugural address:

*Gentlemen of the Senate and House of Representatives:*

In entering upon the duties of another term it is not improper to express the gratitude I feel for the generous confidence manifested toward me by the people at the late State election. They have dealt kindly with such official errors as I may have committed, and have given me full credit for an earnest desire to faithfully perform my duties toward the State and Nation. The circumstances by which we are surrounded have converted the Executive position from one of comparative ease and leisure to one of great labor and responsibility, and the return of peace will not bring back to it the rest and freedom from care enjoyed by its incumbents in other times.

The history of the last four years is fraught with immense interest to us and to the world. A civil war burst upon the country, deluging it with blood, costing many thousands of precious lives, squandering almost incalculable treasure, and bringing in its train such sufferings and horrors as the human mind can scarce comprehend. The crime of this dreadful conflict does not rest with us, nor with the Government of the United States; but attaches itself wholly to the mad ambition and criminal hopes of Southern politicians and leaders, who were animated by the evil spirit of slavery, and the insane pride and self-confidence of an insolent aristocracy.

Our State, an integral part of one mighty people, has stood fast by her allegiance, and has sealed with her best blood her devotion to the national unity. But while we are called to shed bitter tears over the graves of many of our fellow-citizens who have died that their country might live, we have still many causes for thankfulness and rejoicing. Good health has generally prevailed within our limits, labor has met a liberal reward, bounteous harvests have repaid the farmer's toil, manufacturers have increased and prospered, and commerce has brought to us its richest returns. Being thus blessed with an abundance of all the necessities and even luxuries of life, we are enabled to discharge in part the sacred obligations we owe the defenders of our country, by providing for their families and dependent ones, placing them beyond the reach of want, and surrounding them with the comforts of life, thus testifying the gratitude of an earnest and intelligent people. And while we have mourning at many hearthstones, and the dark cloud of war rests upon the southern horizon, Indiana has signs of prosperity and power she never knew before.

The patriotism and courage of her people have placed her in the

very front rank, and command the respect of the world their fidelity to obligations of whatever kind is recognized at home and abroad; their military, political and commercial importance is more conspicuous than ever before, and, by consequence, the current of emigration and wealth is setting towards us with a rapidly increasing volume. There is ample evidence for the statement that Indiana is increasing in population more rapidly than at any previous period in her history. From every part of the State comes the intelligence that our towns are rapidly filling up, new lands being brought into cultivation, and new enterprises of manufactures and commerce set on foot. It is indeed a strange anomaly, and one which no human foresight could have perceived, that in the midst of a desolating civil war, our State should have unusual prospects spread out before her, of prosperity and power. Let us endeavor by wise and fostering legislation, to realize them all, and consolidate them into a healthy and permanent growth.

Trusting that your deliberations will be conducted with harmony, and your conclusions dictated by wisdom, I beg leave to assure you that I shall gladly co-operate with you in all measures of legislation calculated to promote the interests of the State, or to aid the General Government in suppressing the rebellion and preserving the unity of the nation; and that I shall bring to the performance of my duties an earnest purpose to execute the laws, protect the rights of all, and maintain inviolate the honor of the State.

The President of the Joint Session then declared said Convention adjourned.

The Senators then retired to their chamber.

House was called to order, and.

On motion of Mr. Brown,

Adjourned until 9 o'clock to-morrow morning.

TUESDAY MORNING, 9 o'clock, }  
January 10th, 1865. }

The House met.

The journal was read and approved.

The Speaker laid before the House the following report from the Superintendent of the Insane Asylum :

HON JNO. U. PETTIT,

*Speaker of the House of Representatives :*

SIR :—Herewith I submit the Sixteenth Annual Report of the “Indiana Hospital for the Insane,” and request that the same be brought before the House at the earliest practicable opportunity.

Very respectfully,

J. H. WOODBURY, *Superintendent.*

Mr. Brown moved to refer to Committee on Scientific and Benevolent Institutions,

Which was agreed to.

John O'Brien, a representative from the county of Martin, appeared, presented his credentials, was sworn into office by the Speaker, and took his seat.

Mr. Miller, from the select Committee on Stationery, made the following report :

MR. SPEAKER :

The Special Committee to whom was referred the various Resolutions of the House, in reference to furnishing of newspapers, postage stamps, stationery, Statutes and Cushing's Manual, for the members and use of the House, have had the same under consideration, and direct me to submit the following report :

That there be appointed by the House a competent Clerk, who shall take charge of the stationery room, and purchase from time to time, such articles of stationery and postage stamps, and in such quantities as the Speaker may by his order direct ; and it shall be the duty of said Clerk, on the written order of any member, or elec-

tive officer of the House, to procure and place on the desk of the member or officer, such newspapers as they may order; and it shall be the further duty of said Clerk, to open an account between the Stationery Room and the members and elective officers, and charge each member and elective officer with all the newspapers and stationery that they may get. *Provided*, That no member or elective officer be allowed to draw from said stationery room a sum to exceed eighty dollars in value; and it shall be the further duty of said Clerk, at least one day before the adjournment of the House, to make out and file with the Speaker the amount drawn from said stationery room by each member and elective officer, charging therewith cost price, and if the sum drawn by the member or elective officer shall be less in value than eighty dollars, then said member or elective officer shall be entitled to draw in money a sum sufficient to make it eighty dollars, except the Speaker, who shall be entitled to draw from said stationery room or money, the sum of one hundred and fifty dollars.

And we further recommend, that the Librarian be directed to procure fifteen copies of Gavin and Hord's Revised Statutes for the use of the House, and two for the use of the committee, and one copy of Cushing's Manual for the use of the Speaker, which are to be returned to the Librarian at the close of the session, for which he shall give a receipt to the Speaker, and be responsible for them whenever called for by the House of Representatives. That it shall be the duty of the Speaker to order from said Clerk, from time to time, such stationery as may be needed for the use of the House, and that the Chairman of the Committees, on a vote of the Committees, draw from time to time from said Clerk, such stationery as they may need for the use of the Committee, said Clerk keeping an account with the Speaker and Chairman of Committees, for the stationery drawn by them for this purpose.

Mr. Brown offered the following amendment :

To strike out all of the report that refers to members being allowed the sum of eighty dollars for stationery and postage stamps.

Which was lost.

The question being on concurring in the report of the Committee,

Mr. Puett moved to strike out Clerk and insert Librarian, wherever the same occurs in the Report.

Which was withdrawn.

Mr. Rice offered the following amendment :

To strike out the words fifteen copies of the present Statutes, and insert a copy of the Statutes for each member, which they shall not be required to return.

Which was agreed to.

Mr. Wright offered the following amendment:

To amend by striking out the word eighty, wherever it occurs in the bill, and insert one hundred.

Adopted.

The question being on the amendment of Mr. Rice,  
Mr. Brown moved to lay the amendment on the table.

The ayes and noes being demanded by Messrs. Brown and Abbett,

Those who voted in the affirmative were,

Messrs. Abbett, Banta, Beckett, Bird, Brown, Colover, Croan, Crook, Glazebrook, Gregg, Gregory of Montgomery, Hargrove, Henricks, Hogate, Hoover, Hunt, Johnson, Lemon, Lopp, Montgomery, McVey, Newcomb, O'Brien, Patterson, Perigo, Richards, Richardson, Shoaff of Allen, Shoaff of Jay, Stenger, Stringer, Stuckey, Thatcher, Veach, Welch, White, Whiteside, Woods—37.

Those who voted in the negative were,

Messrs. Bonner, Boyd, Branham, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Collins, Cook, Cox, Emerson, Ferris, Foulke, Goodman, Gregory of Warren, Griffith, Groves, Harrison, Hershey, Higgins, Humphreys, James, Kilgore, Lasselle, Lockhart, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Olleman, Osborn, Prather, Puett, Reese, Rhoads, Rice, Riford, Roach, Sabin, Shuey, Sim, Spencer, Steward, Stiver, Sullivan of Posey and Vanderburg, Trusler, Upson, Willis, Woodruff, Wright, Zeigler, Mr. Speaker—56.

So the motion to lay on the table was lost.

The question being on the amendment of Mr. Rice,  
Which was agreed to.

The question then being on report of Committee as amended,

Mr. Brown offered the following amendment:

To strike out all relating to newspapers, stamps and stationery.

Mr. Humphreys moved to lay the amendment on the table.

The ayes and noes being demanded by Messrs. Brown and Beckett,

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bird, Bonner, Boyd, Branham, Burnes, Burton, Burwell, Chambers, Church, Coffroth, Collins, Cook, Cox

Crook, Emerson, Ferris, Goodman, Gregory, of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, James, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, McVey, Newcomb, Olleman, Osborn, Prather, Puett, Reese, Rice, Riford, Sabin, Shoaff, Shuey, Sim, Spencer, Steward, Stiver, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Veach, Welch, White, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—70.

Those who voted in the negative were.

Messrs. Abbett, Beckett, Brown, Colover, Croan, Foulke, Glazebrook, Gregg, Hunt, Lasselle, Lemon, Lopp, Montgomery, O'Brien, Perigo, Richards, Richardson, Shoaf of Allen, Stenger, Stuckey, Thatcher, and Whiteside—22.

So the motion was laid on the table.

Mr. Higgins moved to strike out the 10 copies for Committee. Which was agreed to.

Mr. Burton offered the following amendment :

Each member shall be supplied with three copies each of the Sentinel and Journal—two of each folded and stamped.

Mr. Buskirk offered the following Amendment :

To amend the report by striking out newspapers.

Mr. Miller of Tippecanoe, moved to lay the amendment on the table.

The ayes and noes being demanded by Messrs. Abbett and Buskirk.

Those who voted in the affirmative were,

Messrs. Atkinson, Beckett, Bird, Bonner, Branham, Burnes, Collins, Cook, Cox, Crook, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Groves, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Lasselle, Major, Miller of Tippecanoe, Meredith, McVey, Newcomb, Olleman, Perigo, Rhodes, Rice, Riford, Sabin, Shoaf of Allen, Shoaf of Jay, Shuey, Stewart, Stiver, Stringer, Stuckey, Upson, Veach, Welch, Wright, Zeigler and Mr Speaker—52.

Those who voted in the negative were.

Messrs. Abbett, Banta, Boyd, Brown, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Colover, Croan, Emerson, Glazebrook, Gregory of Warren, Griffith, Harrison, Humphreys, Hunt, Kilgore,

Lemon, Lockhart, Lopp, Milroy, Montgomery, Miller of Clinton, O'Brien, Osborn, Puett, Reese, Richards, Richardson, Roach, Sim, Spencer, Stenger, Sullivan of Scott, Sullivan of Posey and Vanderburg, Thatcher, Trusler, White and Whiteside—42.

So the amendment was laid on the table.

Mr. Miller of Tippecanoe demanded the previous question.

The question being on recommendation of committee with amendments,

Which was concurred in.

Mr. Miller of Tippecanoe asked and obtained leave to introduce

House bill No. 2. A bill relative to the Supreme Court and providing compensation to the Judges thereof.

Which was read a first time and passed to a second reading.

Mr. Brown asked and obtained leave to introduce

House bill No. 3. An act to legalize the proceedings of the Court of Common Pleas of Jackson county, had at the October term, 1864.

Which was read a first time and passed to a second reading.

Mr. Brown moved to suspend the rules and read the bill a second time now.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Beckett, Bird, Bonner, Boyd, Brown, Burns, Burwell, Buskirk, Chambers, Church, Coffroth, Collins, Colover, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Johnson, Kilgore, Lasselle, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, Olleman, Osborn, Perigo, Prather, Puett, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stenger, Stiver, Stringer, Stuckey, Sullivan of Scott, Sullivan of Posey and Vanderburg, Thatcher, Trusler, Upson, Veach, White, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—86.

Those who voted in the negative were,

Messrs. Banta and Boyd—2.



So the rules were suspended and the bill read a second time.

Mr. Brown moved to suspend the rules and read the bill a third time now.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Boyd, Brown, Burton, Burwell, Buskirk, Chambers, Church, Collins, Colover, Cook, Cox, Croan, Crook, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Hogate, Hoover, Humphreys, Hunt, Johnson, Kilgore, Lasselle, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Tippecanoe, Milroy, Montgomery, O'Brien, Olleman, Osborn, Patterson, Perigo, Prather, Puett, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stenger, Stringer, Stucky, Sullivan of Scott, Sullivan of Posey and Vanderburg, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—85.

Nays none.

So the bill was read a third time.

The question being on the passage of the bill :

Shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Brown, Bures, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Collins, Colover, Cook, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Hogate, Hoover, Humphreys, Hunt, Johnson, Kilgore, Lasselle, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Olleman, Osborn, Perigo, Puett, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Spencer, Stenger, Stivers, Stringer, Stucky, Sullivan of Scott, Sullivan of Posey and Vanderburg, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Wright, Zeigler and Mr. Speaker—85.

Nays none.

So the bill passed.

Mr. Griffith asked and obtained leave to introduce

House Bill No. 4. An act fixing the per diem and mileage of Senators and Representatives of the General Assembly, providing officers therefor and fixing the compensation thereof, and repealing all laws inconsistent therewith.

Which was read a first time and passed to a second reading.

On motion by Mr. Abbett,  
The House adjourned until 2 o'clock P. M.

2 O'CLOCK, P. M.

The House met.

Mr. Rhoads asked and obtained leave to introduce

Joint Resolution No. 2. A joint resolution accepting the donation of public lands to the several States and Territories, which may provide colleges for the benefit of agriculture and the mechanic arts, made by act of Congress, approved July 2, 1862.

WHEREAS, On the 2d day of July, 1862, the Congress of the United States passed an act, entitled, "An Act donating public lands to the several States and Territories, which may provide colleges for the benefit of agriculture and mechanic arts;" and

WHEREAS, By said Act each of the several States not in rebellion against the Government, is authorized to receive an amount of public lands equal to 30,000 acres, for each Senator and Representative in Congress, to which the States are respectively entitled by the apportionment under the census of 1860; and

WHEREAS, by the provisions of the said act of Congress, the State of Indiana is entitled to an amount of said public lands equal to 390,000 acres, provided the State accepts the said donation on the conditions and restrictions specified in the said act. Therefore,

*Be it resolved by the General Assembly of the State of Indiana,*  
That the said donation is accepted on behalf of the State, subject to the provisions provided in said act.

Which was read a first time, and passed to second reading.

Mr. Miller, of Clinton, asked and obtained leave to introduce

House bill, No. 5. An act to legalize certain records of deeds, mortgages, and other instruments recorded in the Recorder's office of Clinton county.

On motion by Mr. Kilgore, it was

*Resolved*, That the doorkeeper be directed to contract for and have delivered on the desk of each member of the House, wrapped and stamped ready for mailing, four copies each of the Indianapolis Daily Journal and the Indianapolis Daily Sentinel, to be forwarded to the soldiers in the field.

Which was adopted.

Mr. Buskirk asked and obtained leave to introduce

House bill, No. 6. An act to establish an Agricultural College wherein shall be taught such branches of learning as are related to Agriculture, including the Mechanic Arts and Military Tactics. Also, such other branches of science and literature as the General Assembly, or the Trustees of said College, shall direct, and to appropriate funds for its endowment, support and maintenance, and to provide a Board of Trustees for its management.

Which was read a first time, and passed to a second reading.

Mr. Higgins asked and obtained leave to introduce

House bill, No. 7. An act to amend the first section of an act entitled, an act concerning the organization of voluntary associations, and repealing former laws in reference thereto, approved February 12th, 1855, so as to authorize the formation of Ferry Companies, approved February 16th, 1859, so as to authorize the survey, construction, maintenance and repair of harbors, docks and piers, upon Lake Michigan and other navigable waters, and to assess and collect tolls for the use hereof.

Mr. Higgins moved to suspend the rules, and read the bill a second time now.

Those who voted in the affirmative were,

Messrs. Bird, Boner, Brown, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Clins, Cook, Cox, Croan, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Harris, Hershey, Higgins, Hogate, Hoover, Humphreys, James, Johnson, Kilgore, Lasselle, Lemon, Lockhart, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery,

McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Prather, Puett, Reese, Rhoads, Rice, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Spencer, Stewart, Stenger, Stiver, Stuckey, Sullivan of Posey and Vanderburg, Thatcher, Trusler, Upson, Veach, White, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Speaker.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Boyd, Burnet, Colover, Glazebrook, Hargrove, Hunt, Lopp, Puett, Roach and Stringer—14.

So the rules were suspended and the bill read a second time.

On motion, by Mr. Higgins,

House bill No. 7 was referred to the Committee on Corporations.

Mr. Wood asked and obtained leave to introduce

Joint resolution No. 3. A joint resolution proposing an amendment to article eight of the Constitution, so as to enable cities, towns, townships and school districts, to levy taxes for the support of common schools.

Which was read a first time and passed to a second reading.

Mr. Brown asked and obtained leave of absence for C. L. Dunham until Friday.

Mr. Shoaff of Allen asked and obtained leave to introduce

House bill No. 8. An act providing for the taxing of dogs and for the payment of damage sustained in the maiming or killing of sheep, by dogs, and providing penalties, for the violation of any of the provisions of said act by officers and others, and also repealing an act to license dogs, approved March 11th, 1861, and all other laws conflicting with the provisions of this act.

Which was read a first time and passed to a second reading.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER :

I am directed to inform the House that the Senate has passed the following enrolled act of the House :

House bill No. 3. An act to legalize the proceedings of the Court of Common Pleas of Jackson County, held at the October Term, 1864.

Message from the Senate by Mr. Whittlesey, their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following resolution :

*Resolved, by the Senate, the House of Representatives concurring therein,* That a joint committee, consisting of three members of the Senate and five members of the House of Representatives, be appointed to examine into the receipts and expenditures by the Governor ; and said committee shall have power to send for persons and papers and with authority to report by bill or otherwise.

Mr. Miller of Tippecanoe offered the following resolution :

WHEREAS, The report of the Select Committee on stationery, adopted by the House to-day authorizing the House to appoint a stationery clerk, who shall take charge of the stationery and deliver the same to members, &c., therefore,

*Resolved,* That Andrew J. Castater of Tippecanoe county be appointed by the House as such clerk.

Mr. Newcomb moved to amend by substituting the name of Mr. Daugherty.

Mr. Boyd moved to amend by substituting the name of W. W. Browning.

The resolution and pending amendments were all withdrawn, then Mr. Coffroth offered the following resolution :

*Resolved,* That the Speaker be requested to appoint a clerk in the stationery room at as early a time as possible.  
Which was adopted.

Mr. Rice asked and obtained leave to introduce

House bill No. 9. A bill to repeal any restriction or limit as to the per centum per annum to be divided to the stockholders of any railroad company that shall have organized and constructed a railroad prior to the adoption of the Constitution of this State, or to the enactment of the General act providing for the incorporation of railroad companies so that all railroad companies shall be upon equal footing and have the same as to dividends upon their earnings.

Which was read a first time and passed to a second reading

Mr. Groves asked and obtained leave to introduce

House bill No. 10. An act to amend an act entitled an act to provide for the compensation of township Assessors.

Which was read a first time and passed to a second reading.

On motion by Mr. Branham,

Joint concurrent resolution from the Senate was taken from the table.

Mr. Branham demanded the previous question.  
Which was seconded.

The question being  
Shall the main question be now put?  
Which was agreed to.

The question being on the adoption of the joint resolution.  
Messrs. Brown and Collins demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Bonner, Boyd, Branham, Burns, Buskirk, Church, Colover, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, Johnson, Kilgore, Lasselle, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Prather, Puett, Reese, Rhoads, Rice, Richards, Richardson, Riford, Sabin, Shoaff of Jay, Shuey, Sim, Spencer, Steward, Stenger, Stiver, Stringer, Stuckey, Sullivan of Posey and Vanderburgh, Trusler, Upson, Veach, White, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—77.

Those who voted in the negative were,

Messrs. Beckett, Bird, Brown, Burton, Burwell, Coffroth, Collins, Croan, Harrison, Humphreys, Miller of Clinton, Milroy, Roach, Shoaff of Allen and Thatcher—15.

So the resolution was concurred in.

Mr. Collins offered the following resolution :

*Resolved*, That the Doorkeeper be requested to furnish a number of low seats corresponding with the number of pages, to be placed immediately in front of the desks, for the accommodation of the pages when not actively employed.

Which was adopted.

Mr. Woods asked and obtained leave to introduce

Joint Resolution No. 4. A Joint Resolution proposing an amendment to the 23d Section of the Constitution so as to provide for laws enabling cities, towns, townships, and school districts to raise money for the support of common schools.

Which was read a first time and passed to a second reading.

Mr. Steward asked and obtained leave to introduce

House Bill No 1. An act to divide the State into Congressional Districts, and to fix the time when elections shall be held therein.

Which was read a first time and passed to a second reading.

Mr. Miller of Clinton offered the following resolution :

*Resolved*, That it is the duty of the General Assembly to make a fair, equitable apportionment of the State for Congressional and Legislative purposes, making the Districts in regular and convenient form as may be, with equal population, and without regard to their political character.

Mr. Brown moved to refer the resolution to the Committee on the Judiciary.

The motion did not prevail.

So the resolution was not referred.

Mr. Buskirk moved to refer to the Committee on the Judiciary, with instructions to inquire and report whether the present General Assembly possesses the Constitutional power to make an apportionment for Senatorial and Representative purposes.

The resolution was so referred.

Mr. Brown offered the following resolution :

*Resolved*, That 8,000 copies of the Governor's Message—5,000 in English and 3,000 in German—be printed and laid on the desks of members.

Pending which question.

On motion by Mr. Boyd,

The House adjourned until 9 o'clock to-morrow morning.

WEDNESDAY MORNING, 9 o'clock, }  
January 11th, 1865. }

House met.

Journal read and approved.

The Speaker laid before the House the report of the State Bank of Indiana, by G. W. Rathbone, its President.

BANK OF THE STATE OF INDIANA, }  
INDIANAPOLIS, January 9th, 1865. }

HON. JOHN U. PETTIT,

*Speaker of the House of Representatives:*

SIR:—I have the honor of herewith submitting the annual Report of the Bank of the State of Indiana, and the Reports of each of the Branches of the Bank of the State of Indiana, to be laid before the House.

G. W. RATHBONE, *Pres't.*

Mr. Brown moved to refer it to the Committee on Banks.  
The report was so referred.

Mr. Spencer asked leave of absence for Mr. Sullivan of Vanderburg and Posey until Tuesday morning.  
Which was granted.

Mr. Gregory offered the following petition:

A petition asking that a law be passed which will enable persons in the army to transact their business at home through agents.

Which,

On motion,

Was referred to the Committee on the Judiciary.

Mr. Rice offered the following resolution:

WHEREAS, In certain counties of the State of Indiana, during the past year, large sums of the Common School Fund have been lying idle and unloaned by the County Auditors of said counties, for the reason that no persons have applied for the loan of the same; therefore,



*Resolved by the House of Representatives*, That the Superintendent of Public Instruction be requested, at as early a day as possible, to report to said House the amount of said fund so unemployed, and from which no revenue is accruing.

Which, on motion, was adopted.

Mr. Collins offered the following resolution :

*Resolved*, That the Committee on Corporations be, and they are hereby, instructed to inquire into the propriety and expediency of regulating by law, freights and fares on all public conveyances in this State, and report at their earliest convenience by bill or otherwise.

Which,

On motion,

Was referred to Committee on Corporations.

Mr. Griffith offered the following concurrent resolution :

*Be it resolved by the House of Representatives, (the Senate concurring,)* That the Clerk of each Circuit Court of this State be directed to distribute the Senate and House Journals, Documentary Journals, and Acts of the General Assembly, on hands in his office, giving to each Township Trustee, and each Township Commissioner, one copy of each of said Journals and Acts, and shall distribute the balance as his discretion may suggest, to citizens of his county; *Provided*, That he reserve two copies of each for the use of his office.

Mr. Griffith asked that the resolution be referred to the Judiciary Committee, with instructions to be reported by bill or otherwise.

The resolution was so referred.

Mr. Harrison asked and obtained leave to introduce

House Bill No. 12. A bill to amend the first section of an act, entitled, "An Act for the better protection of religious meetings, agricultural fairs and other lawful assemblages of the people," approved March 3, 1857.

Which was read a first time and passed to a second reading.

Mr. Gregg asked and obtained leave to introduce

Joint Resolution No. 5. A joint resolution asking Congress to authorize the State of Indiana to apply certain lands granted to the State for the endowment and support of a college, on the proceeds thereof, to the founding and support of a home, or homes, in said State, for disabled soldiers and seamen, or for the benefit of orphan children of soldiers and seamen of said State, who have died and

H. J.—5.

may die in the service of the United States, during the present war, in such manner as the General Assembly of said State shall determine.

Which was read a first time and passed to a second reading.

On motion,

Mr. Brown's resolution, pending the adjournment yesterday, was taken up.

Mr. Newcomb moved to refer to the Committee on the Judiciary.

Mr. Brown moved to lay Mr. Newcomb's motion on the table.

The ayes and noes being demanded by Messrs. Brown and Newcomb,

Those who voted in the affirmative were,

Messrs. Abbett, Brown, Burton, Burwell, Buskirk, Coffroth, Collins, Colover, Croan, Glazebrook, Gregg, Hargrove, Harrison, Humphreys, Hunt, Lasselle, Lemon, Lopp, Miller of Clinton, Milroy, O'Brien, Osborn, Patterson, Perigo, Puett, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Spencer, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach and White—37.

Those who voted in the negative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burns, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hendricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Steward, Stiver, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—57.

So the motion to lay on the table was lost.

Mr. Newcomb's motion to refer was agreed to.

Mr. Branham offered the following concurrent resolution :

*Resolved, By the House of Representatives (the Senate concurring,) that the two Houses meet in Joint Convention, in this Hall, at 2½ o'clock P. M., this day, and to proceed to the election of State Agent, State Printer, State Librarian, Trustee of the Wabash and Erie Canal, Director of the Southern Prison and three Directors of the Northern Prison.*

Mr. Coffroth moved to refer that part of the resolution relating to the Director of the Northern Prison to the Committee on the Judiciary.

Which was not agreed to.

The resolution was then adopted.

Mr. Brown offered the following resolution:

*Resolved*, That the Committee on Railroads be instructed to inquire, whether, and if so, which Railroad Company it is, that is charging a greater rate of passenger and freight tariff—whether local or otherwise—than is allowed by their respective charters; and also to further inquire what legislation is necessary, if any, to protect the public from such extravagant charges, and report by bill or otherwise.

Which,

On motion,

Was referred to the Committee on Railroads.

Mr. Buskirk offered the following resolution:

WHEREAS, the Common Council of the City of Indianapolis has passed the following ordinance:

#### CITY ORDINANCE.

AN ORDINANCE to prohibit Substitute Brokerage and the enlisting of soldiers to fill quotas other than those of the City of Indianapolis, or Center Township, Marion County, Indiana, within the corporate limits of the City of Indianapolis.

WHEREAS, The business of procuring substitutes for parties drafted, or liable to be drafted, into the National forces, through the intervention of agents or brokers, is illegitimate and productive of evil to the army and the people.

WHEREAS, The existence of such agencies in this city has had the effect to invite here the agents for Townships in all parts of the State to procure men to fill quotas from those who, if left to act on their own judgment, would enlist to fill our own quota; therefore,

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis*, That it shall not be lawful for any one within the corporate limits of the City of Indianapolis to engage, or in any way assist, in the business of acting as the agent for the procurement of substitutes or recruits to fill the quotas of Townships other than Center Township, Marion county, Indiana.

SEC. 2. It shall be *prima facie* evidence of the engaging or assisting in the business named in the first section of this Ordinance, for any one to advertise, either by notices in the city papers, or by posters or handbills, that they will furnish substitutes or procure recruits to

fill quotas for townships or localities other than the quotas for Center Township, Marion County, Indiana; or who shall post up or distribute any such posters or handbills, or publish the same.

SEC. 3. It shall be unlawful for any person to employ an agent, runner or solicitor, to procure substitutes or volunteers to be credited to any other locality than Center Township, as aforesaid.

SEC. 4. It shall be unlawful for any person to employ, or furnish the means to any other person, to be used in any way or manner whatever, to pay bounties to procure the enlistment of substitutes or volunteers, to be credited to any other locality than Center Township, as aforesaid.

SEC. 5. Any one violating any of the provisions of this ordinance shall, upon conviction before the Mayor, be fined fifty dollars for each distinctive offense, and in the discretion of the Mayor, be imprisoned in the County jail for thirty days.

SEC. 6. It is hereby made the special duty of the members of the police force, to aid in the enforcement of the provisions of this ordinance, and the Chief of Police is directed to instruct the members of the police force to arrest and make complaint against any person found violating the same, and he is, further, authorized to employ such necessary detective force as will bring to punishment all parties engaging in the business prohibited by this ordinance.

SEC. 7. This ordinance shall be in force from and after its passage, and the same shall be published for two successive weeks in the Daily Indianapolis Journal, and there being an emergency for the immediate enforcement of this ordinance, the Mayor is hereby required to issue his proclamation in the manner required by the City Charter, announcing the passage of this ordinance.

JOHN CAVEN, Mayor.

Attest,

C. S. BUTTERFIELD, City Clerk.

AND, WHEREAS, the said ordinance is believed to be in open violation of the Charter of said City, and prejudicial to all other Counties in this State, and calculated to embarrass recruiting in this State, therefore,

*Resolved*, That the Committee on Corporations be instructed to inquire and report, whether said Ordinance is authorized by the Charter of said City; and if said Committee should find that such Ordinance is authorized by the Charter of such City, then the said Committee shall report a bill amending such Charter, so as to deprive such Common Council of the power to pass such an Ordinance.

Which was adopted.

Mr. Prather asked and obtained leave to introduce

House bill No. 13    An act for the relief of persons who have lost

property in consequence of rebel raids, and to provide for the liquidation and payment of claims for the same.

Which was read a first time, and passed to a second reading.

Mr. Montgomery offered the following resolution :

*Resolved*, That the Committee on Public Printing be requested to inquire into the expediency of reporting a bill, authorizing the publication of all laws that may be enacted by the General Assembly, in one or more newspapers in each county, and fixing a compensation for the same.

Which,

On motion,

Was referred to the Committee on Public Printing.

Mr. Branham asked and obtained leave to introduce

House bill No. 14. An act for the relief of the families of soldiers and marines in the State and United States service, and of those who have died or been disabled in such service, and of prescribing the duties of certain officers therein named.

Which was read a first time and passed to a second reading.

Mr. Branham moved to suspend the rules and read the bill a second time now.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Emerson, Ferris, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Groves, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Johnson, Kilgore, Lasselle, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Prather, Puett, Reese, Rhoads, Rice, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Steward, Stenger, Stiver, Stringer, Stuckey, Sullivan of Scott, Sullivan of Posey and Vanderburg, Thatcher, Trussler, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker.—86.

Those who voted in the negative were,

Messrs. Abbett, Beckett, Bird, Collins, Colover, Glazebrook, Hargrove, Lemon, and Roach—9.

Mr. Branham moved to suspend the rules so as to read the bill a second time now, by its title.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Church, Coffroth, Colover, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Groves, Harrison, Henricks, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Johnson, Kilgore, Lasselle, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Prather, Puett, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Steward, Stenger, Stringer, Stucky, Sullivan of Scott, Sullivan of Vanderburg and Posey, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—88.

Those who voted in the negative were,

Messrs. Abbett, Bird, Collins, Hargrove and Lemon—5.

So the rules were suspended and the bill read a second time by its title.

Mr. Branham moved to refer the bill to the Committee on the Judiciary.

So referred.

Message from the Senate by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the State Senate to inform the House of Representatives that the Senate has passed the following resolution, to-wit:

*Resolved, That the Senate, the House concurring, go into the election of the following named officers this day at 2½ o'clock, P. M., to-wit:*

One Agent of State.

One State Printer.

One State Librarian.

One Trustee of the Wabash and Erie Canal.

One Director for the Southern, and three Directors of the Northern State Prisons.

In which the concurrence of the House is respectfully requested.

Message from the Senate by Mr. Whittlesey, their Secretary.

MR. SPEAKER :

I am directed by the State Senate to inform the House of Representatives that the Senate has concurred in the following resolution of the House, to-wit:

*Resolved by the House of Representatives, (the Senate concurring,)*  
That the two Houses meet in Joint Convention in this Hall at 2½ o'clock, P. M., this day, and to proceed to the election of

State Agent,  
State Printer,  
State Librarian,  
Trustee of the Wabash and Erie Canal,  
Director of the Southern Prison, and  
Director of the Northern Prison.

Mr. Wright moved to reconsider the vote by which the resolution of Mr. Kilgore was adopted yesterday, referring to newspapers.

Mr. Brown moved to lay on the table the motion to reconsider.

Pending which,  
The House adjourned until 2 o'clock, P. M.

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2 O'CLOCK, P. M.

House met.

Message from the Senate by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof:

Engrossed Senate bill No. 3. A bill to legalize the issuing of

bonds and making of appropriations, and the levy and assessment for taxes in certain cases.

Engrossed Senate bill No. 13. A bill to amend the 17th section of an act providing for the organization of County Boards, and prescribing some of their powers and duties, approved June 17th, 1852.

In which the concurrence of the House of Representatives is respectfully requested.

Mr. Brown moved to lay on the table the motion of Mr. Wright, which was pending when the House adjourned.

Which was agreed to.

Mr. Henricks offered the following resolution :

*Resolved*, That the Stationery Clerk be instructed to charge each member of this House with the cost of the copy of the Statutes furnished for his use, and also with the cost of all newspapers ordered to be placed upon his desk for any purpose whatever.

Mr. Brown moved to refer the resolution to the Committee on the Judiciary.

Which was not agreed to.

Mr. Higgins moved to lay it on the table.

The question being on the motion to lay the resolution on the table,

Mr. Groves moved that the Senate be invited into the Hall of the House immediately, to enter into the election of the following officers: For

State Agent,  
State Printer,  
State Librarian,  
One Director of the Southern Prison,  
Three Directors of the Northern Prison,  
One Trustee for the Wabash and Erie Canal.

The hour having arrived for that purpose.

Which was agreed to.

The Senate then appeared in the Hall of the House of Representatives and took seats on the right of the Speaker's chair.

The President of the Senate then announced the object of the Joint Session, when



Mr. Newcomb made the following motion :

That the order of the election be as follows, to-wit :

State Printer.

State Agent.

State Librarian.

Trustee of the Wabash and Erie Canal.

One Director of the State Prison South.

Three Directors for the State Prison North.

Which was agreed to.

The nomination of State Printer being then in order,

Mr. Newcomb nominated Wm. R. Holloway of Marion county.

Senator Bradley nominated John B. Norman of Floyd county.

The Clerk then proceeded to call the roll.

Those who voted for Wm. R. Holloway were,

Messrs. Allison, Beeson, Bennett, Bonham, Brown of Hamilton, Cason, Chapman, Cullen, Culver, Davis, Dunning, Dykes, Hyatt, Milligan, Niles, Noyes, Oyler, Peden, Richmond, Terry, Thompson, Van Buskirk, Ward, Wood and Wright of the Senate, and

Messrs. Atkinson, Banta, Bonner, Boyd Branham, Burns, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henrys, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford Sabin, Shuey, Sim, Steward, Stiver, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler, and Mr. Speaker, of the House of Representatives—82.

Those who voted for John B. Norman were,

Messrs Barker, Bowman, Bradley, Brown of Wells, Carson, Cobb, Corbin, Douglass, English, Fuller, Gaff, Gifford, Hord, Jenkins, Mason, Moore, McClurg, Newlin, Staggs, Vawter, and Williams, of the Senate, and

Messrs. Abbott, Beckett, Bird, Burwell, Buskirk, Collins, Colover, Croan, Glazebrook, Gregg, Hargrove, Harrison, Humphreys, Hunt, Lasselle, Lemon, Lopp, Milroy, O'Brien, Osborn, Patterson, Perigo, Puett, Richards, Richardson, Shoaff of Allen, Shoaff of Jay, Spencer, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach and White, of the House of Representatives—55.

William R. Holloway, having received a majority of all the votes cast by the General Assembly, was declared by the President of the Joint Convention duly elected State Printer for two years from and after the expiration of the term of the present incumbent.

The election of State Agent being next in order,

Senator Dunning nominated George A. Buskirk of Monroe County.

Senator Williams nominated Mathew L. Brett of Daviess County.

Those who voted for George A. Buskirk were,

Messrs. Allison, Beeson, Bennett, Bonham, Brown of Hamilton, Cason, Chapman, Cullen, Culver, Davis, Dunning, Dykes, Hyatt, Milligan, Niles, Noyes, Oyler, Peden, Richmond, Terry, Thompson, Van Buskirk, Ward, Woods and Wright, of the Senate, and

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burns, Buskirk, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Roach, Sabin, Shuey, Sim, Steward, Stiver, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, White-side, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker, of the House of Representatives—84.

Those who voted for Mathew L. Brett were,

Messrs. Barker, Bowman, Bradley, Brown of Wells, Carson, Cobb, Douglass, English, Finch, Fuller, Gaff, Gifford, Hord, Jenkins, Mason, Moore, McClurg, Staggs, Vawter, Williams, of the Senate, and

Messrs. Abbett, Beckett, Bird, Burwell, Burton, Collins, Colover, Croan, Glazebrook, Gregg, Hargrove, Harrison, Humphreys, Hunt, Lasselle, Lemon, Lopp, Milroy, O'Brien, Osborn, Patterson, Perigo, Puett, Richards, Richardson, Shoaff of Allen, Shoaff of Jay, Spencer, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach and White, of the House of Representatives—54.

George A. Buskirk, having received a majority of all the votes cast by the General Assembly, was declared by the President of the Joint Convention duly elected Agent of State, for two years from and after the expiration of the term of the present incumbent.

The next in order being the election of State Librarian,

Senator Oyler nominated Rev. B. F. Foster of Marion county,

Mr. Buskirk nominated David Stevenson, the present incumbent.

Those who voted for Rev. B. F. Foster were

Messrs. Allison, Beeson, Bennett, Bonham, Brown of Hamilton, Cason, Chapman, Cullen, Culver, Davis, Dunning, Dykes, Hyatt, Milligan, Niles, Noyes, Oyler, Peden, Richmond, Terry, Thompson, Van Buskirk, Ward, Wood, Wright, of the Senate, and

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burns, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hendricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Steward, Stiver, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker, of the House of Representatives—82.

Those who voted for David Stevenson, the present incumbent, were,

Messrs. Barker, Bowman, Bradley, Brown of Wells, Carson, Cobb, Douglass, English, Finch, Fuller, Gaff, Gifford, Hord, Jenkins, Marshall, Mason, Moore, McClurg, Newlin, Staggs, Vawter, Williams, of the Senate, and

Messrs. Abbett, Beckett, Bird, Burton, Burwell, Collins, Colover, Croan, Glazebrook, Gregg, Harrison, Hargrove, Humphreys, Hunt, Lasselle, Lemon, Lopp, Milroy, O'Brien, Osborn, Patterson, Perigo, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Spencer, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach, and White, of the House of Representatives—56.

B. F. Foster having received a majority of all the votes cast by the General Assembly, was declared by the President of the Joint Convention duly elected State Librarian for the constitutional term prescribed by law.

The election of Trustee for the Wabash and Erie Canal being next in order,

Senator Richmond nominated Colonel David M. Dunn, of Cass county.

Senator Newlin nominated William A. Langster, of Fountain county.

Those who voted for Col. David M. Dunn were,

Messrs. Allison, Beeson, Bennett, Bonham, Brown of Hamilton,

Cason, Chapman, Cullen, Culver, Davis, Dunning, Dykes, Hyatt, Milligan, Niles, Noyes, Oyler, Peden, Richmond, Terry, Thompson, VanBuskirk, Ward, Wood, Wright, of the Senate, and

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burns, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hendricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabine, Shuey, Sim, Steward, Stiver, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler, and Mr. Speaker, of the House of Representatives—82.

Those who voted for Wm. A. Langster were,

Messrs. Barker, Bowman, Bradley, Brown of Wells, Carson, Cobb, Douglass, English, Finch, Fuller, Gaff, Gifford, Hord, Jenkins, Marshall, Mason, Moore, McClurg, Newlin, Staggs, Vawter, Williams, of the Senate, and

Messrs. Abbett, Beckett, Bird, Burton, Burwell, Buskirk, Collins, Colover, Croan, Glazebrook, Gregg, Hargrove, Harrison, Humphreys, Hunt, Lemon, Lopp, Milroy, O'Brien, Osborn, Patterson, Perigo, Puett, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Spencer, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach, and White, of the House of Representatives—57.

Colonel David M. Dunn having received a majority of all the votes cast by the General Assembly, was declared by the President of the Joint Convention duly elected a Trustee for the Wabash and Erie Canal for the term prescribed by law.

The election of Director for the State Prison, South, being next in order,

Mr. Miller of Tippecanoe, nominated William S. Ferrier, of Clark county.

Mr. Buskirk nominated M. W. Shields, of Jackson county.

Those who voted for Mr. Ferrier were,

Messrs. Allison, Beeson, Bennett, Bonham, Brown of Hamilton, Cason, Chapman, Cullen, Culver, Davis, Dunning, Dykes, Hyatt, Milligan, Niles, Noyes, Oyler, Peden, Richmond, Terry, Thompson, VanBuskirk, Ward, Wood, Wright, of the Senate, and

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burns, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves,

Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Steward, Stiver, Stringer, Sullivan of Posey and Vanderburgh, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler, and Mr. Speaker—82.

Those who voted for Mr. Shields were,

Messrs. Barker, Bowman, Bradley, Brown of Wells, Cobb, Douglass, English, Finch, Fuller, Gaff, Gifford, Hord, Jenkins, Marshall, Mason, Moore, McClurg, Newlin, Staggs, Vawter, Williams, of the Senate, and

Messrs. Abbett, Beckett, Bird, Burton, Burwell, Buskirk, Collins, Colover, Croan, Glazebrook, Gregg, Hargrove, Harrison, Humphreys, Hunt, Lasselle, Lemon, Lopp, Milroy, O'Brien, Osborn, Perigo, Puett, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Spencer, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach and White, of the House—57.

Mr. Ferrier, having received a majority of all the votes cast by the General Assembly, was declared, by the President, duly elected a Director for the Indiana State Prison, South, for the term prescribed by law.

Mr. Branham moved to proceed to the election of three Directors for the Northern State Prison, separately.

Which was agreed to.

Mr. Kilgore nominated Carleton E. Shipley, of Delaware county,

Mr. Buskirk nominated Mr. Blank.

Those who voted for Mr. Shipley were,

Messrs. Allison, Beeson, Bennett, Bonham, Brown of Hamilton, Cason, Chapman, Cullen, Culver, Davis, Dunning, Dykes, Hyatt, Milligan, Nyles, Noyes, Oyler, Peden, Richmond, Terry, Thompson, Van Buskirk, Ward, Wood and Wright, of the Senate, and

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burns, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Steward, Stiver, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Zeigler and Mr. Speaker, of the House—81.

Those who voted for Mr. Blank were,

Messrs. Bowman, Bradley, Brown of Wells, Carson, Cobb, Douglass, English, Finch, Hord, Marshall, Mason, Moore, Staggs, Williams, of the Senate, and

Messrs. Abbott, Beckett, Burwell, Colover, Croan, Glazebrook, Gregg, Harrison, Hunt, Lasselle, Lemon, Lopp, Milroy, O'Brien, Osborn, Perigo, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Spencer, Stenger, Stucky, Sullivan of Scott, and Thatcher, of the House—40.

Mr. Shipley, having received a majority of all the votes cast, was declared duly elected a Director for the Indiana State Prison, North, for the term of years prescribed by law.

Mr. Whiteside nominated Colonel Hugh Hanna, of Wabash county,

Mr. Buskirk nominated Mr. Blank.

Those who voted for Colonel Hugh Hanna were,

Messrs. Allison, Beeson, Bennett, Bonham, Brown of Hamilton, Cason, Chapman, Cullen, Culver, Davis, Dunning, Dykes, Hyatt, Milligan, Niles, Noyes, Oyler, Peden, Richmond, Terry, Thompson, Van Buskirk, Ward, Woods, Wright, of the Senate, and

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burns, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoades, Rice, Riford, Sabin, Shuey, Sim, Steward, Stiver, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Zeigler and Mr. Speaker, of the House—81.

Those who voted for Mr. Blank were,

Messrs. Barker, Bowman, Cobb, Finch, Gifford, Hord, Mason, Moore, Staggs, Williams, of the Senate, and

Messrs. Beckett, Buskirk, Croan, Glazebrook, Gregg, Hargrove, Harrison, Hunt, Lasselle, Lemon, Lopp, O'Brien, Osborn, Perigo, Richards, Roach, Shoaff of Allen, Shoaff of Jay, Spencer, Stenger, Stuckey, Sullivan of Scott and Thatcher, of the House—33.

Colonel Hugh Hannah, having received a majority of all the votes cast in the General Assembly, was declared duly elected by the President of the Joint Convention for the term prescribed by law,

Mr. Chapman nominated Joseph E. Dodge of Kosciusko County.

Mr. Buskirk nominated Mr. Blank.

Those who voted for Colonel Dodge were,

Messrs. Allison, Beeson, Bennett, Bonham, Brown of Hamilton, Cason, Chapman, Cullen, Culver, Davis, Dunning, Dykes, Hyatt, Milligan, Niles, Noyes, Oyler, Peden, Richmond, Terry, Thompson, Van Buskirk, Ward, Wood and Wright, of the Senate; and

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burns, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henriks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Spencer, Steward, Stiver, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, Willis, Woodruff, Woods, Zeigler and Mr. Speaker, of the House of Representatives—82.

Those who voted for Mr. Blank were,

Messrs. Barker, Bowman, Cobb, Finch, Jenkins, Moore, Staggs and Williams, of the Senate, and

Messrs. Beckett, Bird, Burton, Burwell, Buskirk, Colover, Croan, Glazebrook, Gregg, Hargrove, Hunt, Lemon, Lopp, Osborn, Perigo, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stringer, Stuckey, Sullivan of Scott and Thatcher, of the House of Representatives—31.

Mr. Dodge having received a majority of all the votes cast, was declared by the President duly elected a Director of the Indiana State Prison North for the term of years prescribed by law.

The object being accomplished for which the Joint Convention assembled, the President declared it adjourned *sine die*.

The Senate then retired to their chamber.

On motion of Mr. Gregory of Warren,

The House adjourned until to-morrow morning at 9 o'clock.

THURSDAY MORNING, 9 o'clock, }  
January 12, 1865. }

House met.

The Speaker announced the Standing Committees of the House of Representatives as follows :

*On Elections.*

Messrs. Kilgore Griffith, Lasselle, Prather, Shuey, Newcomb and Bird.

*On Ways and Means.*

Messrs. Branham, Miller of Tippecanoe, Higgins, Buskirk, Cox, Sullivan of Posey and Vanderburg, and Dunham.

*On Judiciary.*

Messrs. Newcomb, Kilgore, Coffroth, Rice, Whiteside, Brown and Trusler.

*On Courts of Justice.*

Messrs. Miller of Tippecanoe, Gregory of Montgomery, Spencer, Johnson, Burwell, Church and Howard.

*On Banks.*

Messrs. Henricks, Cook, Bird, Miller of Tippecanoe, Miller of Clinton, Ferris and Puett.

*On Education.*

Messrs. Gregory of Warren, Rhoads, Burton, Chambers, Olleman, Stucky and Glazebrook.

*On Swamp Lands.*

Messrs. Church, Glazebrook, Riford, Collins, James, Crook and Shaffer.

*On State Prison South.*

Messrs. Groves, Stringer, Collins, Crook, Howard, Foulke and Colover.



*On State Prison North.*

Messrs. Griffith, Upson, Shoaff of Jay, Higgins, Shoaff of Allen, Reese and Burwell.

*On Military Affairs.*

Messrs. Trussler, Cox, Milroy, Sim, Harrison, Prather and Perigo.

*On Claims.*

Messrs. Boyd, Henricks, Abbett, Groves, Emerson, Lockhart and Veach.

*On Trust Fund.*

Messrs. Banta, Sabin, Harrison, Hershey, Hargrove, Johnson and Lopp.

*On Fees and Salaries.*

Messrs. Major, James, Humphreys, Branham, Thatcher, Stiver and Patterson.

*On Sinking Fund.*

Messrs. Bonner, Gregory of Montgomery, Hunt, Major, Lemon, Zeigler and Sullivan of Scott.

*On Rights and Privileges of the Inhabitants of the State.*

Messrs. Burnes, Cook, Roach, Goodman, Richardson, Welch and Richards.

*On Railroads.*

Messrs. Lockhart, Wright, Coffroth, Kilgore, Sim, Shaffer and Shoaff of Jay.

*On Manufacturers and Commerce.*

Messrs. Wright, Upson, O'Brien, Lockhart, Richards, Cook and Lee.

*On Public Printing.*

Messrs. Whiteside, Montgomery, Thatcher, Sabin, Osborn, Meredith and O'Brien.

*On Roads.*

Messrs. Stringer, Woodruff, Atkinson, Bonner, Stenger, Willis, and White.

*On County and Township Business.*

Messrs. Stiver, Atkinson, Miller of Clinton, Banta, Shoaff of Allen, Riford and Patterson.

*On Agriculture.*

Messrs. Hogate, Reese, Milroy, Woods, Spencer, Olleman and Bonner.

*On Benevolent and Scientific Institutions.*

Messrs. Meredith, Griffith, Sullivan of Scott, Wright, Stuckey, Cox and Beckett.

*On Temperance.*

Messrs. Shuey, Zeigler, Abbett, Montgomery, Stenger, Chambers and Lopp.

*On Mileage and Accounts.*

Messrs. Woods, Goodman, Croan, Meredith, Gregg, McVey and Lee.

*On Corporations.*

Messrs. James, Puett, Church, Buskirk, Welch, Foulke and Roach.

*On Canals.*

Messrs. Rice, Hoover, Bird, Whiteside, Hunt, Hershey and Perigo.

*On Public Expenditures.*

Messrs. Higgins, Boyd, Hargrove, Henriks, Veach, Branham and White.

*On Federal Relations.*

Messrs. Prather, Gregory of Warren, Dunham, Newcomb, Sullivan of Posey and Vanderburg, Brown and Coffroth.

*On Affairs of the City of Indianapolis.*

Messrs. McVey, Hogate, Lemon, Banta, Colover, Newcomb and  
oan.

*On Engrossed Bills.*

Messrs. Chambers, Steward, Lasselle, Burnes, Burton, Willis and  
ckett.

JOINT STANDING COMMITTEES.

*On Enrolled Bills.*

Messrs. Rhoads, Humphreys and Montgomery.

*On State Library.*

Messrs. Steward, Rhoads, Gregg.

*On Canal Fund.*

Messrs. Woodruff, Hoover and Osborn.

*On Public Buildings.*

Messrs. Ferris, Emerson and Richardson.

Mr. Griffith moved to print 300 copies of the Standing Committee  
and place upon the desks for the use of Members.

Mr. Buskirk moved to amend by printing with the same the Order  
Business.

Amendment and motion agreed to.

Mr. Newcomb offered the following resolution by unanimous con-  
currence of the House.

*Resolved*, That a Special Committee of the House be appointed to  
confer with the State Librarian and procure rooms, within the Cap-  
itol, for the use of the Committees and Clerks of the House, and if  
such rooms cannot be procured within the Capitol, that  
the Committee be instructed to procure said rooms at some other  
place adjacent to the State House.

Which was adopted.

Messrs. Newcomb, Buskirk and Lemon were appointed said Com-  
mittee.

The Speaker announced the following

ORDER OF BUSINESS.

- I. Reading of the Journal.
- II. Petitions, Memorials and Remonstrances.
- III. Reports of Standing Committees.
  1. On Elections.
  2. On Ways and Means.
  3. On Judiciary.
  4. On the Organization of Courts of Justice.
  5. On Banks.
  6. On Education.
  7. On the Affairs of the State Prison, North.
  8. On the Affairs of the State Prison, South.
  9. On Swamp Lands.
  10. On Military Affairs.
  11. On Claims.
  12. On the Trust Funds.
  13. On Fees and Salaries.
  14. On the Sinking Fund.
  15. On the Rights and Privileges of the inhabitants of State.
  16. On Railroads.
  17. On Manufactures and Commerce.
  18. On Public Printing.
  19. On Roads.
  20. On County and Township Business.
  21. On Agriculture.
  22. On Benevolent and Scientific Institutions.
  23. On Temperance.
  24. On Mileage and Accounts.
  25. On Corporations.
  26. On Canals.
  27. On Public Expenditures.
  28. On Federal Relations.
  29. On the Affairs of the City of Indianapolis.
  30. On Engrossed Bills.
- IV. Report from Joint Standing Committees.
  1. On Enrolled Bills.
  2. On Public Buildings.
  3. On State Library.
  4. On Canal Fund.
- V. Reports from Select Committees.
- VI. Resolutions from the House.

VII. Joint Resolutions.

VIII. Introduction of Bills.

IX. Orders of the Day.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Meredith presented a memorial from John P. Baird, of Vigo county, on the subject of printing Attorneys' briefs, with the Supreme Court Reports.

Which was referred to the Committee on the Judiciary.

Mr. Miller of Tippecanoe offered a petition from the city authorities of the city of Lafayette, on the subject of extending the city limits.

Which was referred to the Committee on Corporations.

Mr. Brown asked and obtained leave of absence for Mr. Miller of Clinton.

Mr. Rice offered a petition authorizing the loan of County School funds, and for other purposes.

Which was referred to the Committee on Education.

RESOLUTIONS.

The question pending when the House adjourned, on yesterday, was on the motion of Mr. Higgins to lay on the table the resolution of Mr. Henricks.

Mr. Higgins withdrew his motion.

Mr. Henricks, withdrew that part of the resolution relating to statutes.

Mr. Miller of Tippecanoe, demanded the previous question.  
Which was not seconded.

Mr. Brown moved to lay the whole subject on the table.

Messrs. Brown and Henricks demanded the ayes and noes.

Those who voted in the affirmative were.

Messrs. Abbett, Banta, Beckett, Bird, Bonner, Boyd, Brown, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Collins, Colover, Cook, Croan, Dunham, Emerson, Ferris, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren,

Griffith, Hargrove, Harrison, Hershey, Higgins, Howard, Humphreys, Hunt, James, Kilgore, Lasselle, Lemon, Lopp, Meredith, Miroy, Montgomery, O'Brien, Osborn, Patterson, Prather, Puett, Rees, Rhoads, Rice, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Steward, Stenger, Stivers, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach and Willis—68.

Those who voted in the negative were,

Messrs. Atkinson, Branham, Cox, Crook, Foulke, Groves, Henricks, Hogate, Hoover, Johnson, Lockhart, Major, Miller of Tippecanoe, McVey, Newcomb, Olleman, Perigo, Riford, and Stringer—19.

So the motion to lay on the table prevailed.

Mr. Brown moved to reconsider the vote just taken, and lay the motion to reconsider on the table.

Which was agreed to.

Mr. Branham moved that when the House adjourn it be till 2 o'clock to-morrow.

Which was agreed to.

On motion.

Mr. Stringer and Mr. Chambers were granted leave of absence.

The Speaker announced the Joint Select Committee on the Expenditures of the Executive Department, as follows:

Messrs. Branham, Higgins, Humphreys, Boyd, and Shoaff of Jay.

Mr. Higgins offered the following resolution:

*Resolved*, That the Doorkeeper is hereby authorized to appoint two firemen to tend the furnaces. Also, one mail messenger, to carry the mail matter of the members of this House to and from the Post-office.

Mr. Thatcher offered the following amendment:

"That the mail matter of this House be delivered at the Post-office in time for the different mails of the day."

Which was accepted.

The resolution, as amended, was then adopted.

Mr. Buskirk offered the following resolution:

WHEREAS, The law for the government of the Asylum for the Deaf

and Dumb provides that no Trustee shall be allowed to furnish materials for building purposes, nor shall they be either directly or indirectly interested in the purchase of any articles of merchandise or supplies for the use of such institution;

AND WHEREAS, Andrew Wallace has for several years been the President of the Boards of all the Benevolent and Scientific Institutions, including the Asylum for the Deaf and Dumb;

AND WHEREAS, The Annual Report of the Commissioners, Superintendent and Steward of the Indiana Hospital for the Insane, for the year 1864, shows that one Andrew Wallace has furnished to such institution about fifteen thousand dollars' worth of groceries: Therefore,

*Resolved*, That the Committee on Benevolent and Scientific Institutions be instructed to inquire and report whether the said Andrew Wallace, who furnished the said groceries, is the same person who was and is the President of the said Boards, and that such Committee be further instructed to make a thorough and careful investigation into the management of all of said institutions, and ascertain and report whether any officer connected with either, or all of such institutions, has furnished any materials or supplies to said institutions; and if any such officer has furnished such materials and supplies, to report the name of such officers and the institutions of which he is trustee or an officer, and the value of such materials and supplies, with such recommendation as may be deemed right and proper under all the facts and circumstances; and that such committee shall have power to send for persons and papers and examine witnesses under oath.

Mr. Newcomb offered the following amendment:

And that said Andrew Wallace shall have the right to be present at such investigation, and introduce evidence, if he desires so to do. Which was accepted by Mr. Buskirk.

The resolution was then adopted.

Mr. Puett offered the following resolution:

WHEREAS: Under the present Constitution of Indiana the brave men now in the field are deprived of the privilege of voting; And

WHEREAS: The mode of amending the Constitution provided in the instrument itself is so slow and uncertain in its operations; And

WHEREAS: There are other amendments desirable, as indicated by former votes of the Legislature of Indiana; but which have failed to be made, not because of popular opposition, but because of the inherent difficulties of the mode prescribed; therefore,

*Resolved*, That the Committee on the Judiciary be instructed to prepare and report at an early day, a bill which shall provide, in substance, as follows :

The qualified voters of the State may, on the first Monday in April, 1865, elect one Delegate in each Senatorial District in this State to a Convention for revising and amending the Constitution of the State.

2d, That Delegates so elected shall meet at the Capitol on the first Monday in May, 1865, and proceed to the work assigned them.

3d. The Constitution so amended shall be submitted to a special vote of the people on the first Monday in August, 1865.

4th. If a majority of the voters of the State shall agree to adopt it as the Constitution of the State, in lieu of the present Constitution, then the Governor shall issue proclamation to that effect on the first Monday in September, and it shall go immediately into operation as such.

Mr. Brown offered the following amendment :

Amend by making it one of inquiry to the Judiciary Committee.  
Which was accepted.

The resolution was then referred to the Judiciary Committee.

Mr. McVey moved that the House now adjourn.

Which was agreed to.

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SATURDAY AFTERNOON, 2.0'CLOCK, }  
January 13th, 1865. }

House met.

The Clerk proceeded to read the Journal,  
When,

On motion of Mr. Higgins,

The further reading of the Journal was dispensed with.



Message from the Senate by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following Engrossed Bills hereof:

Engrossed Senate bill No. 6. A bill to amend an act, entitled, 'An Act to amend section 7 of an act entitled, 'An Act to fix the times for holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Court returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith, approved March 5th, 1859,' so as to change the time of holding said Court in Jackson and Bartholomew counties, and declaring when this act shall take effect, approved March 9th, 1861,' so as to change the time of holding said Court in Jennings and Bartholomew counties, extending the time for holding said Court herein, requiring all persons to take notice thereof, providing for the return of process, and declaring when this act shall take effect.

Engrossed Senate bill No. 29. A bill to authorize the Bank of the State of Indiana to reduce the Capital Stock of a Branch or Branches of said Bank, and to close up the business of a Branch or Branches of said Bank, under certain regulations; and amendatory of sections 68, 62 and 74 of an act establishing a Bank with Branches, passed March 3d, 1855.

In which the concurrence of the House of Representatives is respectfully requested.

Mr. Thatcher asked leave of absence for Mr. Whiteside until Tuesday morning.

Which was granted.

Mr. Wright of Jefferson asked and obtained leave to introduce,

House bill No. 15. An act relating to Corporations for mechanical, manufacturing, mining and quarrying purposes.

Which was read a first time and passed to a second reading.

Mr. Wright moved to suspend the rules and pass the bill a second time now.

Which was not agreed to.

Mr. Kilgore offered the following resolution:

*Resolved*, That the Committee on Elections, to whom has been, or

hereafter may be, referred cases of contested election seats in this House, be and it is hereby empowered to send for and enforce the attendance of any and all persons whose testimony it may deem necessary to have in order to the determination of such cases, and also, that it be empowered to demand and have furnished any records, or other papers, which it may deem necessary to require in such investigation.

By consent of Mr. Kilgore, Mr. Buskirk offered the following amendment:

And if any witness shall be unable from sickness or any other cause to appear personally before such committee, the contestant or the contestee, may take the depositions of such witness or witnesses, and such depositions when so taken shall have the same force and effect as if such witness had been examined personally before such committee.

The resolution, as amended was then adopted.

Messrs. Stringer, Olleman, and Miller, were granted leave of absence till Wednesday next. Messrs. Stuckey, and Upson, till Tuesday next, and Mr. Crane till Monday next.

Mr. Kilgore moved to reconsider the vote by which his resolution referring to contested elections was adopted.

Which was agreed to.

Mr. Newcomb offered the following amendment to the amendment of Mr. Buskirk.

Within such time as may be ordered by the committee and upon reasonable notice to the opposite party.

Which was adopted.

Mr. Higgins moved to strike out the words where they occur in the resolution. "or any other cause" which was taken by consent. The resolution as amended was then adopted.

#### SENATE BILLS.

Senate bill No. 3, was read a first time and passed to a second reading.

Mr. Trusler moved to suspend the rules and read the bill a second time now.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Burns, Church, Colover,

Cook, Emerson, Ferris, Goodman, Gregg, Gregory of Warren, Griffith, Groves, Harrison, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lasselle, Lockhart, Major, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Osborn, Prather, Reese, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Steward, Stenger, Stiver, Stringer, Thatcher, Trusler, Veach, Welch, White, Wright, Zeigler and Mr. Speaker—55.

Those who voted in the negative were,

Messrs. Beckett, Burton, Crook, Dunham, Foulke, Glazebrook, Gregory of Montgomery, Harrison, Henricks, Howard, Humphreys, Hunt, Lemon, Lopp, Meredith, Patterson, Perigo, Rhoads, Rice, Richards, Sullivan of Scott, Woodruff, and Woods—23.

A vote being taken on the suspension of the rules, fifty-five members voted in the affirmative and twenty-three members in the negative, in all making seventy-eight members.

The Speaker decided the rules to be suspended and Mr. Buskirk raised the following point of order :

That there not being two thirds of one hundred members present there was no suspension.

Whereupon the Speaker decided that two thirds of the members, present, if the same amounted to a quorum, was sufficient to suspend the rules.

Mr. Buskirk appealed from the decision of the Chair.

Mr. Trusler then withdrew his motion to suspend the rules.

Mr. Buskirk then withdrew his appeal from the decision of the Chair.

Senate engrossed bill No. 3, then passed to a second reading.

Senate bill No. 13 read a first time and passed to a second reading.

Senate bill No. 6 was read a first time and passed to a second reading.

Senate bill No. 29 was read a first time and passed to a second reading.

By unanimous consent,

Mr. Groves presented the following :

A petition of sundry citizens of Tell City, Perry county, Indiana,

asking that a law be passed authorizing the Board of Trustees of said town to construct a street railroad for the transportation of coal to the Ohio River.

Mr. Harrison moved that when the House adjourn, it be till 2 o'clock P. M. Monday.

Which was agreed to.

By unanimous consent,

Mr. Woods offered the following resolution :

*Resolved*, That the Committee on Education be respectfully requested to consider the propriety of prohibiting, by law, County Boards investing unloaned Common School Funds in Bonds of the county owning such funds, and report by bill or otherwise.

Which was adopted.

Mr. Emerson introduced

House bill No. 15. An act authorizing Supervisors of roads to remove fences standing near public highways on streams and water courses, and to turn public roads and highways on water courses to the rear of buildings, where such buildings stand too near the streams to give room for said roads or highways, and assess damages for losses occasioned thereby.

Which was read a first time, and passed to a second reading.

Messrs. Roach, Woodruff and Trusler were granted leave of absence till Monday.

House bill No. 1 was read a second time and referred to the Committee on Fees and Salaries.

House bill No. 2 was read a second time and referred to the Committee on Fees and Salaries.

House bill No. 4 was read a second time and referred to the Committee on Fees and Salaries.

House Bill No. 5 was read a second time and referred to the Committee on the Judiciary.

By unanimous consent,

Mr. Gregory of Warren offered the following resolution :

*Resolved*, That a select committee of three be appointed to inquire

into the probable cost of procuring the copyright of the last edition of Gavin & Hord's Statutes and the publication of a sufficient number thereof by authority of law, to supply the wants of the State, and also the probable cost of a new revision of the Statutes of the State and the publication thereof, and that they report the result of their investigation to this House.

Which was adopted.

Mr. Miller of Tippecanoe offered the following resolution :

*Resolved*, That the Auditor of State be and he is hereby instructed to furnish the House with the amount of orders drawn by him on the Treasurer of State for State Printing; also, the amount of orders drawn in favor of the Agent of State, and the authority for drawing the same, for the years 1863 and 1864.

Which was adopted.

Mr. Prather offered the following resolution :

*Resolved*, That the Committee on Benevolent Institutions be instructed to inquire into the expediency of establishing by law a house or institution for the correction of juvenile offenders, and report by bill or otherwise.

Which was adopted.

By unanimous consent,

Mr. Newcomb offered the following petition :

A memorial of Samuel H. Patterson, former lessee of the Indiana State Prison South, in reference to the labor of convicts of said State Prison, for the full term of ten years, from and after the 15th day of June, 1846, &c.

Which was referred to the Committee on Claims.

By unanimous consent, Mr. Harrison offered the following resolution :

*Resolved*, That the Committee on Fees and Salaries be instructed to examine the laws fixing the Fees and Salaries of all State, county, township and other officers, receiving pay from State or county funds, and if, in their opinion, any of said fees or salaries are too low, that they be instructed to report a bill making the necessary increase.

Which was adopted.

By unanimous consent, Mr. Wright offered the following resolution :

WHEREAS, The Christian Commission of this City has its Agents with the Army, and the soldiers will be more likely to receive the papers through this channel, than any other: Therefore,

*Resolved*, That the Doorkeeper be and he is hereby instructed to turn over all the newspapers contracted by him, under a resolution of this House, No. 16, to the Christian Commission of this City for the benefit of the soldiers.

Mr. Dunham moved to lay the resolution on the table.

The question being on the motion to lay on the table,

Messrs. Henricks and Wright demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Beckett, Boyd, Burton, Church, Colover, Cook, Cox, Crook, Dunham, Emerson, Ferris, Goodman, Glazebrook, Gregg, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Higgins, Hoover, Humphreys, James, Kilgore, Lasselle, Lemon, Lopp, Major, Miller of Clinton, Montgomery, McVey, O'Brien, Osborn, Patterson, Perigo, Prather, Reese, Rhoads, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Shuey, Stringer, Sullivan of Scott, Trusler, Upson, Veach, Welch, White and Woods.—54.

Those who voted in the negative were,

Messrs. Bonner, Burnes, Foulke, Gregory of Montgomery, Henricks, Hogate, Hunt, Johnson, Lockhart, Meredith, Miller of Tippecanoe, Rice, Riford, Sabin, Sim, Woodruff and Wright.—19.

House bill No. 6, was read the second time and referred to the Committee on Education.

Mr. Buskirk was granted leave of absence till Monday.

Mr. Branham moved that the Committee on Ways and Means, Committee on Claims, and Committee on Public Expenditures be authorized to employ sufficient clerical force for their use.

Mr. Dunham moved to amend, by giving said committees one clerk each.

Mr. Rhoads moved to amend amendment by striking out one and inserting two.

Which amendment was lost.

The question recurring on the amendment of Mr. Dunham,  
The same was lost.

The question recurring on the adoption of the motion.  
It was agreed to.

On motion,  
The House adjourned till Monday 2 o'clock, P. M.

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MONDAY AFTERNOON, 2 o'clock, }  
January 16th, 1865. }

House met.

Journal read and approved.

The Speaker laid before the House the following communication  
from the State Debt Sinking Fund Commissioners :

*Speaker of the House of the House of Representatives :*

SIR :—We herewith send you the Report of the State Debt Sinking Fund Commissioners, which by law we are required to make to the General Assembly. You will please lay the same before the honorable body over which you have the honor to preside.

Your obedient servants,

M. L. BRETT,  
J. RISTINE,  
*Commissioners.*

The Speaker laid before the House the following communication  
from the State Librarian :

STATE LIBRARY, January 3d, 1865.

To the HON. JNO. U. PETTIT,

*Speaker of House of Representatives :*

Please present to the House of Representatives the following  
Report of the State Librarian, and oblige

Yours truly,

DAVID STEVENSON,  
*State Librarian.*

Senate bill No. 3 was read a second time.

Mr. Trusler moved to refer the bill to a select committee of three.

Mr. Abbett offered the following amendment:

To amend by inserting after the the word issued on page 1, line 4 as follows, to-wit: "by the Board of Commissioners, or any agent duly authorized and appointed by them."

And to amend further by inserting after the word "purpose," on page 2, line 24, the following, to-wit: "and in the manner."

Mr. Boyd offered the following amendment:

Amend by adding after the word "legalize," in the 16th line, the following:

*Provided always,* That the volunteers or substitutes procured or furnished by such appropriations of County Boards shall have been equally apportioned and accredited *pro rata* to the several townships composing the county where such appropriations shall have been made.

Mr. Steward offered the following amendment:

That all bonds (or orders) issued, or appropriations (or orders to be issued) made, (or ordered) by the Board of Commissioners of the several counties of the State, incorporated cities, towns, township &c., for the purpose of procuring or furnishing volunteers, drafted men and substitutes for the army and navy of the United States, &c. and for maintaining the families of volunteers, soldiers, substitutes and drafted men, or otherwise to aid the Government, or for repaying any monies furnished or appropriated for any of the above named purposes, be and the same is hereby legalized. That any levy and assessment for taxes made (or hereafter made) by any Board of Commissioners of the State, or incorporated cities, towns and townships to procure means to pay any appropriations by them made, or orders, or bonds issued for the purposes in the foregoing section enumerated, be legalized, &c. And whereas, an emergency exists &c., that the same be in force after the same has been published in the Indiana Journal, &c.

Mr. Meredith moved to refer to the Committee on Ways and Means.

Mr. Branham moved that the bill and amendments be referred to the Committee on the Judiciary.

Which was agreed to.



Senate bill No. 13 was read a second time.

Mr. Branham moved to refer to the Committee on the Judiciary.  
Which was agreed to.

Senate bill No. 6 was read a second time.

Mr. Prather moved to refer to the Committee on the Organization  
of Courts.  
Which was agreed to.

Senate bill No. 29 was read a second time.

Mr. Sullivan moved to refer the bill to the Committee on Banks.  
Which was agreed to.

House bill No. 8 was read a second time.

Mr. Burnes moved to refer the bill to the Committee on Agriculture.

Mr. Sullivan moved to refer to the Committee on Rights and Privileges of the Inhabitants of the State.

Mr. Wood moved to refer to the Committee on the Judiciary.  
Which was agreed to, and the bill was so referred.

House bill No. 9 was read a second time.

Mr. Groves moved to refer the bill to the Committee on Railroads.  
Which was agreed to.

The Speaker laid before the House the following communication from the Superintendent of the Institute for the Education of the Blind:

INDIANA INSTITUTE FOR THE EDUCATION OF THE BLIND. }  
January 16th, 1865. }

HON. JOHN U. PETTIT,  
*Speaker of the House :*

I have the honor to transmit herewith a copy of the Eighteenth Annual Report of this Institution.

Very respectfully,

W. H. CHURCHMAN,  
*Superintendent.*

H. J.—7.

Which,

On motion by Mr. Branham,

Was referred to the Committee on Benevolent and Scientific Institutions.

Mr. Griffith offered the following :

The members of the House of Representatives in the city having learned that the Hon Nelson G. Shaffer, Representative from the county of Fulton, had departed this life on last evening ; an informal meeting of the House was held to make proper arrangements for the funeral of the deceased.

On motion by Mr. Boyd, Mr. Higgins of Laporte was appointed Chairman, and F. P. Griffith of Lagrange, Secretary.

On motion of Mr. Beckett, the following gentlemen were appointed by the chair, Committee on Resolutions, viz :

Messrs. Beckett, Boyd, Glazebrook, James and Shoaff of Jay.

Mr. Beckett, from said Committee, made the following report :

WHEREAS, It has pleased Almighty God to take from among us the Hon. Nelson G. Shaffer, late member of this House from the county of Fulton ; therefore,

*Resolved*, That the members and officers of the House will form in procession at the Bates House, at 11:45 A. M., of this day, and from thence attend the corpse to the Union Depot.

*Resolved*, That His Excellency, the Governor, the Judges of the Supreme Court, and other officers of the State be invited to unite in the procession, and that joint participation on the part of the Senate be requested.

*Resolved*, That the Chairman of the meeting be directed to appoint two members of the House of Representatives to accompany the remains of our departed friend to his late residence in Fulton county.

<p>A. J. BECKETT, SAM'L SHOAFF, LOYD GLAZEBROOK, HENLY JAMES, ROBERT BOYD,</p>	}	<p><i>Committee.</i></p>
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In accordance with the report of the committee, Messrs. Milroy and Glazebrook were appointed a committee to accompany the remains of the deceased to his late residence.

On motion by Mr. Boyd, a Committee of Arrangements was appointed, consisting of Messrs. Collins, Boyd and Shoaff of Jay.

On motion by Mr. Collins, it was

*Ordered*, That the daily papers of this city be requested to publish the proceedings of this meeting.

On motion by Mr. Boyd, Messrs. Beckett and Griffith were appointed a committee to report the proceedings of this meeting to the House when convened in regular session.

On motion, the meeting adjourned.

W. J. HIGGINS, *Chairman*.

F. P. GRIFFITH, *Secretary*.

Mr. Puett offered the following resolutions :

*Resolved*, That the House has learned, with sensibility, the melancholy intelligence of the death of the Honorable Nelson G. Shaffer, late a member of this House, and that we recognize, in this dispensation of Providence, a renewed admonition of the uncertainty of life, and of our responsibility for the faithful discharge of our duties to God and our country.

*Resolved*, That we tender to the family of the deceased our sincere sympathy, in their afflictive bereavement.

*Resolved*, That the Speaker be requested to forward a copy of these resolutions to the family of the deceased.

Which,

On motion,

Was adopted.

Mr. Collins moved that the proceedings of the informal meeting be made the action of the House and placed upon the Journal, with the resolution of Mr. Puett.

Which was agreed to.

Mr. Meredith asked leave of absence for the Committee on Scientific and Benevolent Institutions, till to-morrow.

Which was granted.

Mr. Humphreys was granted leave of absence, on account of sickness.

Mr. Shoaff of Jay offered the following resolution :

*Resolved*, That, as a further token of respect to the deceased, this House do now adjourn.

Which was agreed to.

And the House adjourned until to-morrow morning, 9 o'clock.

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TUESDAY MORNING, 9 o'clock, }  
January 17th, 1865. }

The House met.

Journal read and approved.

#### PETITIONS.

Mr. Crook offered the following petition,

Calling the attention of the General Assembly "to the ravages of intemperance in our midst, growing out of legalized tippling houses," and praying for the enactment of "a law which shall wholly suppress places of public drinking."

Which,

On motion by Mr. Crook,  
Was referred to the Committee on Temperance.

Mr. Higgins offered the following :

A petition in behalf of the citizens of Michigan City, in reference to levying and collecting taxes for the purpose of paying bounties to volunteers, &c., &c.

Mr. Higgins moved to refer to Committee on the Judiciary,  
Which was agreed to.

Mr. Higgins offered the following :

A petition in behalf of the citizens of Springfield township, Laporte county, Indiana, in reference to the levying and collection of taxes, to raise money to pay volunteers, &c., &c.

Mr. Higgins moved to refer to Committee on the Judiciary.  
Which was agreed to.

Mr. Henricks offered the following :

A petition in behalf of the citizens of St. Joseph county, calling the attention of the General Assembly to their proposition to continue their Brevier Legislative Reports of the Journals, Proceedings and Debates of both Houses of the General Assembly of the State of Indiana, being the 7th volume of the series now in press, with corrections and emendations from the columns of the Indianapolis Journal.

Which,

On motion by Mr. Henricks,

Was referred to a special committee of three.

By Mr. Prather :

A memorial from the Western Yearly Meeting of Friends, praying for the repeal of all constitutional and State laws which divest negroes and mulattoes of their natural rights, and which impair their evidence in courts of justice.

Which,

On motion of Mr. Prather,

Was referred to the Committee on Rights and Privileges of the Inhabitants of the State.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Henricks, from the Committee on Banks :

MR. SPEAKER :

The Committee on Banks, to whom was referred Senate Bill No. 29, "A bill to authorize the Bank of the State of Indiana to reduce the capital of a Branch or Branches of said Bank, under certain regulations, and amendatory of sections 68, 62 and 74 of an act entitled 'an act to establish a Bank with Branches,' passed March 3d, 1855, have had the same under consideration, and have directed me to report the same back to the House and recommend its passage.

Mr. Henricks moved the third reading of the bill.

Which was agreed to.

So the bill was read a third time.

The question being shall the bill pass :

By consent of Mr. Henricks,

The bill was passed over, and made the special order for to-morrow.

The Speaker laid before the House a memorial from the Friends' Yearly Meeting.

Which,

On motion by Mr. Puett,

Was referred to the Committee on Rights and Privileges of the Inhabitants of the State.

Mr. Rhoads, Chairman on the Committee on Enrolled Bills, made the following report :

MR. SPEAKER :

The Joint Committee on Enrolled Bills have examined House bill No. 3, and instruct me to report that the same is properly enrolled.

Mr. Miller of Tippecanoe offered the following :

Joint Resolution No. 6. *Be it resolved by the House of Representatives and Senate of the State of Indiana,* That our Senators are hereby instructed, and our Representatives in Congress requested, to vote for an amendment to the Constitution of the United States, forever prohibiting slavery or involuntary servitude, except for crime whereof the party has been duly convicted.

Which was read a first time and passed to a second reading.

Mr. Ferris introduced

House bill No. 16. An act to amend sections 6, 18, 22, 26, 29 and 30 of an act entitled "an act regulating general elections, and prescribing the duties of officers in relation thereto," approved June 7th, 1852, and to repeal all laws inconsistent therewith, and declaring when this act shall take effect.

Which was read a first time, and passed to a second reading.

Mr. Branham introduced

House bill No. 17. An act making an appropriation to repay Messrs. Winslow, Lanier & Co. the amount advanced by them in payment of the interest on the public debt of this State since the adjournment of the last General Assembly, and to compensate them therefor, and directing the manner in which such payment shall be made.

Which was read a first time and passed to a second reading.

Mr. Whiteside introduced

House bill No. 18. A bill to provide for publication of notice to, or service of, summons on non-residents on complaint for new trial.

Which was read a first time and passed to a second reading.

Mr. Higgins introduced

Joint resolution No. 7. A joint resolution instructing our Senators and requesting our Representatives in Congress to obtain an appropriation for the improvement of the harbor at Michigan City.

WHEREAS, The State of Indiana has no port of entry in the North upon the great lakes touching her Northern boundary:

AND WHEREAS, The North is conceded by all to be the great natural outlet for her cereals and numerous abundant productions, therefore:

*Be it Resolved by the General Assembly of the State of Indiana,* That our Senators in Congress be instructed and our Representatives be requested to use all proper means to procure the passage of an act granting an appropriation for the completion of the harbor at Michigan City.

That his Excellency the Governor be requested to transmit a copy of these resolutions to each of our Senators and Representatives in the Congress of the United States.

Which was read a first time and passed to a second reading.

Mr. Newcomb introduced

House bill No. 19. An act to amend an act entitled "An Act in relation to witnesses, and to repeal Sec. 238 of Article 13, of the act entitled an act to revise, simplify and abridge the rules, practice, pleadings and forms, in civil cases in the courts of this State, to abolish distinct forms of action at law and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18th, 1852, and to repeal all laws inconsistent therewith, and providing when the act shall take effect and be in force, which took effect, and went into force March 17th, 1861.

Which was read a first time and passed to a second reading.

Mr. Hogate introduced

House bill No. 20. An act for the encouragement of Agriculture, authorizing the Indiana State Board of Agriculture, to purchase, hold and sell real estate, legalizing the purchase by said Board, of certain lands in Marion county, exempting the property of said Board from taxation, authorizing the county Treasurer of Marion county to refund certain taxes, and making an annual appropriation for the use of said Board &c.

Which was read a first time and passed to a second reading.

Mr. Harrison introduced

House Bill No. 21. A bill to amend the twenty-second section of an act, entitled, "An Act defining misdemeanors and prescribing punishment therefor," approved June 14, 1852.

Which was read a first time and passed to a second reading.

Mr. Woods of Lake introduced

House Bill No. 22. An act to legalize the sales of certain school lands in Lake county.

Which was read a first time and passed to a second reading.

Mr. Collins introduced

House Bill No. 23. An act, entitled, "An Act to provide by law for draining and ditching low, wet and overflowed lands in the State of Indiana."

Which was read a first time and passed to a second reading.

Mr. Rhoads introduced

House Bill No. 24. A bill to create the Indiana Institution of Agriculture and the Mechanic Arts, &c., &c.

Which was read the first time and passed to a second reading.

Mr. Foulke introduced

House Bill No. 25. An act to repeal an act, entitled, "An Act to prohibit the evidence of Indians and persons having one-eighth or more of negro blood, in all cases where white persons are parties in interest," &c., approved February 14, 1853.

Read a first time and passed to a second reading.

Mr. Higgins introduced

Joint Resolution No. 8. A joint resolution providing for the removal of John Blissford, now an inmate of the Northern State Prison, to the hospital for the insane, until he recovers his reason.

WHEREAS, In January, 1864, at the Allen county Circuit Court, John Blissford was convicted of the crime of rape, and sentenced to the Northern State Prison, at Michigan City, for the term of twenty-one years; and

WHEREAS, In pursuance of said sentence, the said Blissford was committed to said Prison, and that in the month of April following said commitment, the said Blissford became insane and has continued so up to the present time; therefore,



*Be it Resolved by the General Assembly of the State of Indiana,* That the Warden of the Northern State Prison cause the said John Blissford to be conveyed to the Hospital for the Insane, at Indianapolis, and that it be the duty of the Superintendent of said Hospital to receive the said John Blissford into said Institution and keep him until he shall recover his reason or be discharged according to law.

Which was read a first time and passed to a second reading.

Mr. Montgomery offered the following resolution :

*Resolved,* That the Committee on Roads be requested to enquire into the expediency of changing the Road Law, so as to have all the work done in the early part of the season, also to enquire into the expediency of amending said Law, so that Supervisors may collect more than one dollar per day for failure to work the road, and allowing Supervisors to pay more than seventy-five cents per day for work done on the road.

Which,

On motion by Mr. Montgomery,  
Was referred to the Committee on Roads.

Mr. Shoaff of Allen offered the following resolution :

WHEREAS, There is no settled rule established, as yet, in reference to the suspension of the Rule by a two-thirds vote, so as to authorize the reading of a bill more than once upon the same day ; therefore,

*Resolved,* That the Committee on the Judiciary be and are hereby instructed to investigate and report, at their earliest convenience, setting forth their reasons from which they arrive at a conclusion, as to whether the two-thirds vote, as required by the Constitution, means two-thirds of all the members elected to the House, or only two-thirds of a quorum or of the members present.

Mr. Whiteside moved to amend so as to read as follows :

That the Committee on the Judiciary be also instructed to enquire whether it requires two separate motions, or only one to suspend the Constitutional Rule requiring a bill to be read on three separate days, and, also, by sections instead of by its title.

Which was agreed to.

The resolution, as amended, was then adopted.

Mr. Woodruff introduced

House bill No. 26. An act to amend section 27 of an act, entitled, "An Act to provide for a general system of Common

Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and to establish Township Libraries, and for the regulation thereof," approved March 5, 1855.

Which was read a first time and passed to a second reading.

Mr. Whiteside offered the following resolution :

*Be it Resolved by the House of Representatives*, That the Committee of Ways and Means be instructed to inquire into the expediency of providing by law an exemption from the payment of poll tax of all persons who have been, are now, and shall be in the military service of the United States, for the term of the active service of such persons.

Which, on motion, was adopted.

Mr. Thatcher introduced

Joint Resolution No. 9. *Resolved by the House, the Senate concurring*, That our Senators and Representatives in Congress be requested to use their influence in having a reduction, or to abolish the duty on imported printing paper.

*Resolved*, That a certified copy of the foregoing resolution, on the passage thereof, be sent to each Senator and Representative from this State.

Which was read a first time and passed to a second reading.

Mr. Higgins introduced

House bill No. 27. An act to legalize the acknowledgments of all deeds, mortgages and other instruments required to be recorded, taken and certified by Notaries Public who took and certified such acknowledgments after the expiration of their commissions.

Which was read a first time, and passed to a second reading.

Mr. Gregory of Warren introduced

House bill No. 28. An act to exempt soldiers in the service of the United States from the payment of a poll tax.

Which was read a first time and passed to a second reading.

Mr. Woods introduced.

House bill No. 29. An act to amend section 15 of an act entitled, "An Act concerning inclosures, trespassing animals and partition fences.

Which was read a first time and passed to a second reading.

Mr. Reese introduced

House bill No. 30. A bill requiring Railroad Companies to furnish transportation for freight to persons wishing to ship live stock or

other freight over their roads, and requiring such roads to charge a uniform rate therefor.

Which was read a first time and passed to a second reading.

Mr. Bonner offered the following resolution :

*Resolved*, That the Committee on Corporations be instructed to inquire whether there is any general law by which a town or city divided by county lines may incorporate, and if not, to report by bill or otherwise in favor of such an act.

Which,

On motion by Mr. Bonner,  
Was referred to the Committee on Corporations.

Mr. Burnes introduced

House bill No. 31. An act to amend section 1 of an act entitled, "An act to exempt from sale in certain cases," approved February 17, 1852.

Which was read a first time and passed to a second reading.

Mr. Newcomb introduced

House bill No. 32. An act to provide for taking the depositions, affidavits and acknowledgments of persons in the military or naval service of the United States.

Which was read a first time and passed to a second reading.

Mr. Harrison introduced

House bill No. 33. A bill to amend the eighth section of an act entitled "an act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors; to prohibit the adulteration of liquors; to repeal all former laws contravening the provisions of this act, and prescribing penalties for violation thereof," approved March 5th, 1859.

Read a first time and passed to a second reading.

Mr. Reese offered the following resolution :

*Resolved*, That a select committee of five be appointed on Constitutional amendments, to whom shall be referred all propositions for amending the Constitution of the State of Indiana.

Which, on motion, was adopted.

Mr. Emerson offered the following resolution :

WHEREAS, section 82 of the Common School law of the State of Indiana provides that county officers having charge of Common

School funds shall not loan more than three hundred dollars to one man or company ;

AND WHEREAS, it is found impossible to keep the said fund at interest under this restriction ; and it being the opinion of the said county officers that the said fund could easily be kept on interest, with unquestionable security, if the said restriction was removed ; therefore,

*Resolved*, That the Committee on County and Township Business be instructed to inquire into the expediency of repealing or amending the said section of the said law, and report to the House the result of their deliberations.

Mr. Emerson moved to refer the resolution to the Committee on County and Township Business.

Mr. Newcomb offered the following amendment :

“ And that said Committee further inquire into the expediency of providing for the investment of such funds in the public debt of this State.”

Which was agreed to.

The resolution, as amended, was then referred to the Committee on County and Township Business.

Mr. Hogate offered the following resolution :

*Resolved*, That the State Librarian be authorized to furnish the Principal and Assistant Clerks each with a copy of Gavin & Hord's Statutes of Indiana.

Which was adopted.

Mr. Kilgore introduced

House bill No. 34. An act to amend the eighteenth section of an act entitled “an act regulating descents and the apportionment of estates.

Which was read the first time and passed to a second reading.

Mr. Kilgore introduced

House bill No. 35. An act entitled “an act to prevent county officers and their deputies from practicing law during their term of office, and prescribing punishment therefor.”

Which was read a first time and passed to a second reading.

Mr. Henricks introduced

House bill No. 36. An act to amend the eighteenth section of an act entitled "an act regulating general elections, and prescribing the duties of officers in relation thereto."

Which was read the first time and passed to a second reading.

Mr. Higgins introduced

House bill No. 37. An act to amend section 15 and to repeal sections 29 and 30 of an act "regulating general elections, and prescribing duties of the officers in relation thereto," approved June 7th, 1852, and prescribing further duties of the officers of elections.

Which was read the first time and passed to a second reading.

Mr. Whiteside offered the following :

WHEREAS, David Stevenson, the present State Librarian, upon the expiration of his term of office, soon to occur, it is understood proposes to withdraw from the State Library the portrait of Stephen A. Douglas unless the sum of ten dollars is paid him ; therefore, be it

*Resolved*, That the Committee on the State Library be instructed to inquire into his right to so withdraw said piece of art, and to report to this body.

Which,

On motion,

Was referred to the Committee on Library.

Mr. Gregory of Warren introduced

House bill No. 38. A bill to amend the 82d section of the School law of 1864.

Which was read a first time and passed to a second reading.

Mr. Burton offered the following concurrent resolution :

WHEREAS, There is an unusual amount of legislation to be performed by this General Assembly :

AND WHEREAS, This great work cannot be performed during its regular session unless the greatest diligence is exercised by the officers and members thereof, therefore,

*Resolved by the House of Representatives the Senate concurring*, That in order to avoid the necessity of an extra session of the General Assembly upon the adjournment of its present session and to

save an unnecessary expense to the members therefore, and to the State, all Standing and Special Committees be, and are hereby requested to use all possible diligence and dispatch in examining and reporting business back to their respective houses for final action.

Which was adopted.

Mr. Shoaff of Jay offered the following resolution :

*Resolved*, That for the purpose of enabling committees to properly consider and mature such matters as may be referred to them this House hold but one session each day to commence at 2 o'clock P. M. until otherwise provided.

Mr. Newcomb offered the following amendment :

*Resolved*, That from this day until the 10th day of February the House shall meet at 9 o'clock, A. M., and adjourn at 12½ o'clock P. M. at which hour, or at such other hour as the House shall determine, the House shall adjourn for that day.

Which amendment was accepted.

The resolution as amended was then adopted.

Mr. Whiteside offered the following resolution :

*Resolved*, That the Committee on Public Printing be instructed to inquire into the manner in which J. J. Bingham has discharged the duties of his office as Public Printer, and especially by what legal right he has drawn money from the State Treasury for his services as such in the absence of special appropriation, and that the committee be authorized to send for persons and papers.

Which was adopted.

Mr. Higgins introduced

House Bill No. 39. An act to amend the 4th section and to repeal the 5th and 6th sections of an act, entitled, "An Act concerning interest on money," approved May 27th, 1852.

Which was read a first time and passed to a second reading.

Mr. Groves offered the following resolution :

*Resolved*, That the Committee on Elections be instructed to so amend the Election Laws of the State that soldiers absent from the State in the field, may be allowed to vote at their places of rendezvous, for all State and County Officers, and to report at their earliest convenience to this House, by bill or otherwise.

Mr. Buskirk offered the following amendment :

To enquire into the expediency and constitutionality of so amending the Law.

Which was agreed to.

The resolution, as amended, was then adopted.

Mr. Atkinson moved to reconsider the vote by which Mr. Groves resolution was adopted.

Which was agreed to.

Mr. Atkinson offered the following amendment.

To amend by permitting soldiers to vote for federal officers as well as State officers.

The resolution, as amended, was then adopted.

Mr. Howard introduced

House bill No. 40. An act to amend sections 78 and 83 of an act entitled "an act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and for the establishment and regulations of Township Libraries, and to repeal all laws inconsistent therewith," approved March 11th, 1861.

Which was read a first time and passed to a second reading.

Mr. Shoaff of Jay offered the following resolution :

*Resolved*, That the Committee on Elections be, and are hereby instructed to inquire into the propriety and expediency of so amending the General Election laws of the State, for the purpose of more effectually preventing fraudulent and illegal voting, and report by bill or otherwise.

Which, on motion, was adopted.

Mr. Boyd offered the following resolution :

*Resolved*, That all those having claims against the State be requested to hand them in at their earliest convenience.

Which was adopted.

Mr. Brown offered the following resolution :

*Resolved*, That the Committee on the Judiciary be instructed to inquire into the expediency of establishing a uniform system through-

out the State of paying bounties to persons who volunteer into the service of the United States.

Which, on motion, was adopted.

Mr. Coffroth offered the following resolution :

*Resolved*, That the Committee on the Judiciary be instructed to inquire into the expediency of repealing the law relative to Courts of Conciliation.

Which, on motion, was adopted.

Mr. Major offered the following resolution :

*Resolved*, That in view of the present high rates of taxation, and probable increase of the same, it is the duty of this House to enforce the most rigid economy in the management of the finances of the State; therefore, this House ought to resist any efforts for the increase of the salaries or fees of civil officers, other than those whom the necessity is most evident.

Which was referred to the Committee on Fees and Salaries.

Mr. Patterson offered the following resolution :

*Resolved*, That the Committee on County and Township Business be instructed to inquire into the expediency of authorizing the Board of County Commissioners of the several counties of the State, on the application of the proper authorities or person of any township or any city or part of a township constituting a sub-district; for enrolment and the assignment of quotas on call for troops by the President of the United States, to offer and pay bounties to persons voluntarily enlisting on behalf of and to be credited to such township or to such city or township, constituting a sub-district as aforesaid, and to lay a special or other tax on the property of such township or city or part of a township for the payment of such bounties or any debt that may have been contracted on account thereof and that said committee be further instructed to report by bill or otherwise.

Mr. Newcomb moved to refer the resolution to the Committee on the Judiciary.

Which was agreed to.



The Speaker laid before the House the following telegram :

INDIANAPOLIS, Jan. 17th, 1865.

To Gov. MORTON.

*Dear Sir* :—We have just received the following :

NEW YORK, Jan. 17th, 1865.

WAR BULLETIN.

Fort Fisher was captured by assault on the 15th. Our loss about 500. There were seven hours hard fighting.

[OFFICIAL.]

Respectfully,

CHAS. C. WHITNEY.

Mr. Dunham offered the following :

*Resolved*, That the Committee on Judiciary be instructed to inquire and report to the House immediately what legislation is necessary to protect the citizens of the State from an Ordinance of the city of Indianapolis for the punishment of persons soliciting enlistments or obtaining substitutes in said city and report by bill or otherwise.

Mr. Dunham moved to refer to the Committee on Corporations.

Mr. Brown moved to refer to the Committee on the Judiciary.

Mr. Higgins moved to refer to a Select Committee with instructions to report at an early day.

Mr. Newcomb moved that the Committee on the Judiciary be authorized to employ a clerk.

Which was agreed to.

Mr. Kilgore moved that the Committee on Elections be authorized to employ a clerk.

Which was agreed to.

The Speaker announced the following Special Committee on Brevier reports of Messrs. Drapier.

Messrs. Henricks, Buskirk and Griffith.

The question before the House being on the reference of Mr. Dunham's resolution.

Mr. Branham moved to adjourn till to-morrow morning 9 o'clock.  
Which was agreed to.

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WEDNESDAY MORNING, 9 o'clock, }  
January 18, 1865. }

House met.

Journal read and approved.

PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Rhoads,

A petition from the County Officers of Vermillion County, Indiana, asking an increase of fees, as enumerated in and provided by the law of 1855.

Which,

On motion by Mr. Thatcher,  
Was referred to the Committee on Fees and Salaries.

By Mr. Hoover,

A petition from William Moorman asking compensation for services rendered as District Attorney.

Which,

On motion by Mr. Rhoads,  
Was referred to the Committee on Fees and Salaries.

By Mr. Henricks,

A petition from Nelson Ferris, asking compensation for services, &c., in pursuing Jesse Delong, a fugitive from this State, &c., &c.

Which,

On motion,  
Was referred to the Committee on Claims.

By Mr. Coffroth,

A petition from sundry citizens of Huntington County, Indiana, asking the enactment of a law fixing generally the standard of qualifications of practicing physicians and surgeons.

Mr. Coffroth moved to refer to the Committee on Rights and Privileges of the Inhabitants of the State, with instructions to report by bill.

Which was agreed to.

By Mr. Newcomb,

A petition from Messrs. Talbott and Costegan, submitting account property at Northern Prison, &c., &c., and asking compensation therefor.

Which

On motion,

Was referred to Committee on Claims.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Kilgore, from the Committee on the Judiciary, made the following report:

*to the Speaker of the House of Representatives:*

The Judiciary Committee, to whom was referred bill No. 14, entitled, An Act for the relief of the families of soldiers and marines in the State and the United States service, and of those who have died or been disabled in such service, and of prescribing the duties of certain officers, respectfully report back said bill, and recommend that said bill be laid upon the table, and that 200 copies be printed for the use of the members of the House.

Which was concurred in.

Mr. Wood from the Committee on Mileage, made the following report:

R. SPEAKER:

The Committee on Mileage have, in the performance of their duty, and the same under consideration, and request me to present the following as their report:

#### MILEAGE AS BELOW, CALCULATED ONE WAY.

Miles.	Miles.
Abbott .....50	Burton .....100
Atkinson.....90	Burwell .....125
Banta .....20	Buskirk ..... 80
Beckett.....150	Chambers..... 98
Bird.....150	Church .....160
Bonner..... 55	Coffroth.....107
Boyd .....124	Collins.....188
Branham..... 84	Colover ..... 47
Brown ..... 71	Cook .....192
Burnes ..... 25	Cox ..... 75

	Miles.
Croan.....	40
Crook .....	100
Dunham.....	113
Emerson .....	260
Ferris.....	75
Foulke .....	71
Goodman .....	175
Glazebrook .....	125
Gregg.....	88
Gregory of Montgomery....	87
Gregory of Warren.....	90
Griffith.....	248
Groves .....	210
Hargrove .....	165
Harrison.....	26
Henricks.....	185
Hershey.....	75
Higgins.....	156
Hogate .....	25
Hoover.....	72
Howard.....	110
Humphreys .....	120
Hunt.....	125
James.....	112
Johnson .....	135
Kilgore .....	54
Lasselle .....	78
Lee .....	—
Lemon.....	130
Lockhart .....	276
Lopp .....	160
Major.....	31
Meredith .....	72
Miller of Clinton.....	55
Miller of Tippecanoe .....	67
Milroy .....	80
Montgomery .....	56
McVey.....	—
Newcomb .....	—
O'Brien.....	130

Olleman .....	
Osborne.....	
Patterson.....	18
Perigo.....	26
Prather.....	
Puett.....	4
Reese.....	7
Rhoads.....	16
Rice.....	16
Richards.....	7
Richardson .....	18
Riford.....	28
Roach.....	9
Sabin.....	27
Shaffer .....	9
Shoaff of Allen.....	16
Shoaff of Jay.....	16
Shuey.....	21
Sim.....	5
Spencer .....	24
Steward.....	4
Stenger.....	10
Stiver.....	4
Stringer... ..	3
Stuckey .....	6
Sullivan of Scott.....	8
Sullivan of Posey and V....	24
Thatcher .....	2
Trusler.....	6
Upson .....	18
Veach .....	6
Welch .....	12
White.....	2
Whiteside .....	8
Willis.....	15
Woodruff.....	8
Woods.....	19
Wright .....	8
Zeigler .....	17
Mr. Speaker .....	8

Which was concurred in.

Message from the Senate by Mr. Whittlesey their Secretary.

MR. SPEAKER:

I am directed by the Senate to return enrolled act No. 3 of the House entitled an act to legalize the proceedings of the Court of

Common Pleas of Jackson county had at the October Term, 1864, which has been signed by the President of the Senate.

Mr. Dunham's resolution pending the adjournment yesterday was taken up.

The question being on the adoption of the resolution.

Mr. Buskirk moved to refer to a select committee of five. Which was agreed to.

Mr. Meredith offered the following resolution :

*Resolved*, That the Committee on Ways and Means be, and they be hereby instructed to inquire if it would not be a more equal and best mode of taxing railroads on their gross receipts, than by the present system of taxing them by the mile, and that if expedient, to provide for the same by submitting a bill for that purpose, and in the same connection to consider, if upon such gross receipts, the amounts paid by any railroad upon bonds &c., given for money borrowed to construct any such road, should not be allowed as a deduction.

Which was adopted.

Mr. Griffith offered the following resolution :

*Be it Resolved*, That the Secretary of State be requested to furnish to each member of this House, desiring the same, a copy of the Acts of Congress for each year of the same in his possession.

Mr. Newcomb offered the following amendment :

Amend by instructing the Committee to inquire into the expediency of distributing said Acts among the township libraries of the State.

Which,

On motion by Mr. Burnes was laid on the table,

The resolution was then adopted.

Mr. James introduced

House bill No. 41. A bill to legalize sales by guardians under powers defective in not prescribing notice.

Which was read a first time and passed to a second reading.

Mr. Ferris introduced

House Bill No. 42. An act to amend sections 9, 11 and 14, of an

act entitled an act to provide for the more uniform mode of doing township business, and prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with this act approved February 18th, 1859.

Which was read a first time and passed to a second reading.

Mr. Coffroth introduced

House bill No. 43. A bill to repeal an act entitled "an act to establish Courts of Conciliation, to prescribe rules and proceedings therein, and compensation of judges thereof," approved June 11th 1852.

Which was read a first time and passed to a second reading.

Mr. Harrison introduced

House bill No. 44. A bill to amend the 76th section of an act entitled "an act defining misdemeanors, and prescribing punishment therefor," approved June 14th, 1852.

Which was read a first time, and passed to a second reading.

Mr. Beckett introduced

House bill No. 45. A bill to legalize the acts of certain civil officers in the State who have entered the military service, and have accepted commissions in the armies of the United States, and whose duties had been discharged by deputies during their absence in said service.

Which was read a first time and passed to a second reading.

Mr. Coffroth introduced

House bill No. 46. A bill to fix the times of holding the Circuit Courts in the Eleventh Judicial Circuit, and to regulate the return of process in said Circuit.

Which was read a first time and passed to a second reading.

Mr. Groves offered the following concurrent resolution:

WHEREAS, The members of the House of Representatives have learned with deep feelings of grief that it is the custom of the Senate, when the Clerk of this House is about to deliver a message therein, to keep said Clerk in waiting at the door of said Senate; and has by resolution instructed the Doorkeeper thereof not to recognize said Clerk until the pending business of said Senate be disposed of, whether the same be a buncombe speech of several hours' duration, or the legitimate legislation of the General Assembly;

AND WHEREAS, Said rule of the Senate is particularly irksome to

said Clerk of the House, and keeps in weary waiting before said Senate door, contrary to the said Clerk's inclinations, and against the peace and dignity of the State of Indiana;

AND WHEREAS, If any of the members of this House, or of the State Senate, have any loose change to dispose of, it will be thankfully received by the Amateur Association at its next meeting, and properly appropriated to the benefit of soldiers' families;

AND WHEREAS, If said rule of the Senate be stubbornly adhered to, the Clerk of the House will have to employ a few more clerks to stand before the Senate door, to read the messages from the House at the Senate's pleasure;

AND WHEREAS, The Sanitary Commissions of Indiana, through its agents, is now asking you for donations to aid it in carrying out its purposes;

AND WHEREAS, The Senate did, at the instigation of a distinguished Senator, who shall be nameless here, pass the resolution of instructions aforesaid to its Doorkeeper, thus setting the example to every one of throwing cobbs from the Senate Chamber at the Clerk of the House;

AND WHEREAS, To prevent a collision of the two Houses, and put a stop to any more retaliating resolutions, and that the business of the session may go on smoothly, and the honor of the people of the State be saved from tarnish; therefore,

*Resolved, By the House of Representatives (the Senate concurring,)*  
That a committee, consisting of one from each House, be appointed to investigate the standing rules of the two Houses, and report respectively to each House at what particular time the Clerk of the other House can be recognized therein, to deliver messages for the House for which he has the honor to act.

Which was adopted.

Mr. Newcomb introduced

House bill No. 47. An act to increase the powers of the Board of Sinking Fund Commissioners and to authorize said Board to loan any monies belonging to said Funds in Indiana State Bonds or Stocks and providing for the canceling of such Bonds or Stocks and the re-issuing of new non-negotiable Bonds or Stocks payable to said Funds.

Which was read a first time and passed to a second reading.

Mr. Whiteside introduced

House Bill No. 48. An act to authorize railroad companies to alter and determine the number of their Directors, to authorize Boards of Directors to fill vacancies in their Boards, to provide for meetings of the Stockholders and Directors of consolidated companies in and without this State, to authorize consolidated railroad com-

panies, to consolidate again and increase the capital stock of consolidated Railroad Companies, and to authorize them to borrow money and to secure the payment thereof.

Which was read a first time and passed to a second reading.

Mr. Meredith introduced

House bill No. 49. An act to amend section 13 of an act approved May 12th, 1852, entitled "an Act authorizing the construction of plank, macadamized and gravel roads," the same having been amended by the 4th section of an act approved February 20th, 1855, entitled "an act authorizing the construction of plank, macadamized and gravel roads," and to empower the same to make sale of a portion of their road. The purpose of this act to authorize such companies to increase their toll.

Which was read a first time and passed to a second reading.

Mr. Branham gave notice of amendment to rule 55.

Amendment to rule fifty-five by adding the following :

*Provided*, That revenue and appropriation bills, first of the House, next of the Senate, shall have precedence in the order of the day except unfinished business.

Mr. Branham asked leave of absence for the members of the Committee on Fees and Salaries to meet for the transaction of business.

Which was granted.

Mr. Stivers offered the following resolution :

*Resolved*, That the Committee of the Judiciary be instructed to inquire whether there is any provision in the statute authorizing the taxing of school lands which have been sold on a credit of 10 years for the time intervening between the date of the sale and the time of making the deed and if *not*, to report a bill making such lands taxable and defining the mode by which said taxes can be collected.

Which

On motion by Mr. Stivers

Was referred to the Committee on the Judiciary.

Mr. Lopp introduced

Joint Resolution No. 10. A joint resolution instructing our Senators and requesting our Representatives in Congress to cast their influence and votes in favor of a law placing all persons injured or killed and their widows and minor children upon the pension rolls of the United States, upon an equality with those injured or killed in the regular service.

Which was read a first time and passed to a second reading.



Mr. Shoaff of Jay asked and obtained leave of absence.

Mr. Hoover introduced

House bill No. 50. A bill to authorize and provide for a thorough and complete draining of the public and private lands of the State of Indiana.

Which was read a first time and passed to a second reading.

Mr. Beckett introduced

House Bill No. 51. A bill to amend the 9th section of an act, entitled, "An Act providing for the election or appointment of Supervisors of highways, and prescribing certain of their duties, and those of County and Township Officers, in relation thereto," approved March 5, 1859.

Which was read a first time and passed to a second reading.

Mr. Thatcher offered the following resolution :

WHEREAS, A resolution has been adopted by the House requiring the Committee on Fees and Salaries to make and report to this House an abstract of all the fees and salaries of the different State and County Officers of the State of Indiana ;" therefore,

*Resolved*, That the Committee on Fees and Salaries be authorized to employ a clerk to prepare said abstract, and that, while said clerk shall be so employed, he shall receive the same fees as are allowed to other clerks of this House.

Which was adopted.

Mr. Buskirk moved to suspend the order of business and take up Senate Bill No. 29.

Which was agreed to.

Mr. Buskirk moved to refer to the Committee on the Judiciary.

Mr. Spencer moved to lay the Bill on the table and have 200 copies printed.

Which was not agreed to.

The question recurring on the motion to refer to the Committee on the Judiciary,

The same was not agreed to.

The question being shall the Bill pass ?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Brown, Burnes, Burton, Chambers, Church, Coffroth, Colover, Cook, Cox, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Johnson, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Prather, Puett, Reese, Rhoads, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Steward, Stivers, Stringer, Trusler, Upson, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—68.

Those who voted in the negative were,

Messrs. Beckett, Buskirk, Collins, Glazebrook, Gregg, Hargrove, Howard, Lemon, Lopp, Richards, Richardson, Roach, Spencer, Stuckey, Sullivan of Scott, Thatcher and Veach—17.

So the Bill passed.

Mr. Ferris offered the following resolution :

WHEREAS, The present revenue laws are unequal, in their operations, insomuch that some species of property are burdened with a greater proportion of taxes than others; therefore,

*Resolved*, That the Judiciary Committee be instructed to inquire into the expediency of so amending the revenue laws as to insure a more equitable distribution of taxes, and report by bill, or otherwise.

Which was referred to the Committee on the Judiciary.

The Speaker laid before the House the following communication from the Treasury of State.

OFFICE OF THE TREASURER OF STATE, }  
Indianapolis, January 1, 1865. }

*To the General Assembly of the State of Indiana :*

I have the honor to herewith transmit statements showing all the moneys received by me into and paid out of the Treasury of said State, from the beginning of my term of office, February 10, 1863, to the 31st day of December, 1864, inclusive.

Respectfully submitted,

M. L. BRETT,

*Treasurer of State.*

Mr. Gregory of Warren offered the following resolution :

*Resolved*, That the Committee on Ways and Means be instructed to make a sufficient appropriation, in the general bill on that subject, to pay the expenses of witnesses and others, growing out of the organization of the Committee of Arbitrary Arrests, at the last session of the Legislature.

Which,

On motion,

Was referred to the Committee on Ways and Means.

Mr. Goodman offered the following resolution :

*Resolved*, That the Committee on Rights and Privileges be instructed to inquire into the expediency of reporting a bill to more fully protect the Sabbath day.

Which,

On motion,

Was referred to the Committee on Rights and Privileges of the Inhabitants of the State.

Mr. Stivers introduced

House Bill, No. 52. An act to render uniform assessments of personal property, in the several townships of the different counties.

Which was read a first time and passed to a second reading.

Mr. Howard introduced

House Bill No. 53. An act to amend sections 5 and 14 of an act, entitled, "An Act to provide for the uniform mode of doing township business, prescribing the duties of certain officers, in connection therewith, and to repeal all laws in conflict with this Act, approved February 18, 1859.

Which was read a first time and passed to a second reading.

Mr. Newcomb moved to suspend the order of business and take up House Bills on second reading.

Which was agreed to.

House Bill No. 10 was read a second time.

Mr. Griffith offered the following amendment :

Amend section 2 by striking out *two dollars and fifty cents*, and inserting the words *three dollars*.

Mr. Newcomb moved to refer the Bill and amendments to the Committee on Ways and Means, with the following amendment:

Amend by inserting before the words "fixing the amount of Assessors' per diem," these words, "during the years 1865 and 1866."

Mr. White offered the following amendment to an amendment, by striking out "three dollars," and inserting "two dollars."

The question being shall the Bill and amendments be referred to the Committee on Ways and Means.

It was so referred.

House Bill No. 11 was read a second time.

Mr. Buskirk moved to refer to a Select Committee of one from each Congressional District.

Mr. Meredith moved to amend by ordering 200 copies printed.

Mr. Griffith offered the following amendment:

Amend proper section by striking out the words Wabash and Whitley, and inserting the words Elkhart and Noble.

The bill and amendments were then referred to the select committee.

Joint resolution No. 1 was read a second time, and,

On motion by Mr. Miller of Tippecanoe,  
Was referred to the select committee on Constitutional Amendments.

Joint resolution No. 2 was read a second time, and,

On motion by Mr. Newcomb,  
Was referred to the Committee on the Judiciary.

Joint resolution No. 3 was read a second time, and,

On motion by Mr. Woods,  
Was referred to the Committee on Education.

Joint resolution No. 4 was read a second time, and,

On motion by Mr. Woods,  
Was referred to the Committee on Education.

House bill No. 12 was read a second time, and,

On motion by Mr. Spencer,  
Was referred to the Committee on the Judiciary.

Mr. Cook moved to adjourn.  
Which was not agreed to.

House bill No. 13 was read a second time.

Mr. Shuey offered the following amendment:

SEC. — Such Commissioners shall first diligently inquire if such claimant or claimants were members of the Order of the Golden Circle, American Knights, Sons of Liberty, or other treasonable association, or if such claimant or claimants ever did, by word or act, encourage desertions or discourage enlistments, or did, in any manner, during the present war, give aid and comfort to the enemy.

SEC. —. If such Commissioners shall find that any claimant or claimants was or were a member or members of any or either of the treasonable orders or associations, or has or have been guilty of any of the disloyal acts mentioned in the foregoing section, then the claim or claims of such claimant or claimants shall be rejected.

SEC. —. All the expenses of said Commission shall be retained out of the several sums allowed to such claimants, *pro rata*.

Mr. Brown offered the following amendment:

Amend the amendment by adding to the first paragraph that such Commission shall diligently inquire if such claimant or claimants were members of the Order of the Loyal League or other treasonable associations.

Mr. Brown moved to refer the bill and amendments to the Committee on Ways and Means.

Mr. Dunham offered the following amendment:

Amend section second by inserting after the words Indianapolis Journal, Indianapolis Sentinel.

The Speaker laid before the House the following communication from the Auditor of State:

STATE OF INDIANA, OFFICE OF AUDITOR OF STATE, }  
Indianapolis, January 17, 1865. }

HON. JOHN U. PETTIT,

*Speaker of the House of Representatives:*

SIR:—I have the honor to report to the honorable body over which you preside, an answer to the inquiries propounded me in rela-

tion to warrants issued by me on account of public printing, &c., during the last two years, which you will please lay before the House.

Your obedient servant,

J. RISTINE,  
Auditor of State.

Mr. Buskirk moved to lay on the table and print 200 copies.  
Which was not agreed to.

Mr. Branham moved to refer to the Committee on Public Expenditures.

Which was agreed to.

The Speaker announced the special committee on the resolution of Mr. Dunham, of January 7th, 1865, in reference to an ordinance of the Common Council of the city of Indianapolis, as follows:

Messrs. Dunham, Higgins, Buskirk, Trusler and Newcomb.

On Constitutional amendments:

Messrs. Reese, Lasselle, Miller of Tippecanoe, Harrison and Meredith.

The pending question being on the reference and amendments of House bill No. 13;

Mr. Spencer moved to adjourn.  
Which was agreed to.

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THURSDAY MORNING, 9 o'clock, }  
January 19th, 1865. }

House met.

The Speaker announced the calling of the roll, when the following members answered to their names:

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Branham, Burnes, Buskirk, Chambers, Church, Coffroth, Collins, Colover, Cook, Cox, Croan, Crook, Emerson, Ferris, Goodman, Glaze-

brook, Gregg, Gregory of Montgomery, Gregory of Warren, Groves, Harrison, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, James, Johnson, Kilgore, Lasselle, Lemon, Lockhart, Lopp, Major, Miller of Clinton, Miller of Tippecanoe, Meredith, Milroy, Montgomery, Newcomb, O'Brien, Osborn, Perigo, Prather, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Spencer, Stenger, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, White, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—78.

The Journal was then read and approved.

On motion by Mr. Higgins,  
House bill No. 39 was withdrawn.

#### PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Gregg,

A petition from sundry citizens of Dearborn county, protesting against levying a tax to procure substitutes, &c., &c.

Which,

On motion.

Was referred to the Committee on the Judiciary.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Burnes, chairman of the Committee on Rights and Privileges of the Inhabitants of the State, made the following report:

*To the members of the House of Representatives of the State of Indiana :*

Your committee, to whom was referred the petition of divers citizens of Huntington county, praying for legislation on the subject of the practice of Medicine and Surgery, have had the same under consideration, and respectfully report that legislation upon that subject is at this time inexpedient, and recommend that the future consideration of said petition, and the matters connected therewith, be indefinitely postponed.

Mr. Coffroth moved to lay the report on the table.

Which was agreed to.

Mr. Buskirk, from the Committee on Corporations, made the following report :

MR. SPEAKER :

The Committee on Corporations, to whom was referred resolution of the House, No. 9, in relation to the ordinance of the city of Indianapolis, have directed me to report the same back and recommend

that the same be referred to the select committee appointed to consider the subject of such ordinance.

Which was concurred in.

Mr. James, from the Committee on Corporations, made the following report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred House bill No. 7, have had the same under consideration, and instruct me to report the same back to the House and recommend its passage.

Which,

On motion,  
Was laid on the table.

The pending question on the adjournment yesterday being on the reference of House bill No. 14 and amendments.

Mr. Shuey moved to make the same a special order for to-morrow at 10 o'clock A. M.

Which was agreed to.

Mr. Miller of Tippecanoe offered the following resolution:

WHEREAS, From the evidence adduced before the military Commission held in the city of Indianapolis, commencing on or about the 25th day of October, 1864, in the case of the United States vs. William A. Bowles and others, on a charge of conspiracy against the Government of the United States, and for the assassination of the Governor of the State of Indiana, it appears that Charles B. Lasselle of Cass county, and now a member of this House, belonged to, and was a member of the Supreme Council of a secret order, known as the Knights of the Golden Circle or Sons of Liberty, and that he had voluntarily taken the oath prescribed for the several degrees of that order, and as appears in the evidence taken in said cause that the members of said Supreme Council were concerned in the treason and crimes charged against said defendant, therefore,

*Resolved*, That a committee of five be appointed to investigate the fact whether or not said Charles B. Lasselle was, or was not, a member of said treasonable order, and report to this House by resolution or otherwise, whether or not it is consistent with the dignity and respect of this House for said Charles B. Lasselle to occupy a seat as a member of this House, and that said committee shall have full power to send for all necessary persons and papers.

Mr. Coffroth moved to make it the special order for Wednesday at 10 o'clock A. M.



Mr. Newcomb moved to refer to the Committee on Rights and Privileges of the Inhabitants of the State.

Mr. Rice demanded the previous question.  
Which was seconded.

The question being,  
Shall the main question be now put?  
It was agreed to.

The question recurring on the adoption of the resolution.

Messrs. Buskirk and Miller of Tippecanoe demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bonner, Boyd Branham, Burnes, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Olleman, Prather, Rhoads, Rice, Rifford, Sabin, Shoaff of Allen, Shuey, Sim, Steward, Stivers, Stringer, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—55.

Those who voted in the negative were,

Messrs. Abbett, Beckett, Bird, Burton, Buskirk, Coffroth, Collins, Colover, Croan, Glazebrook, Gregg, Harrison, Hargrove, Howard, Hunt, Lemon, Lopp, Miller of Clinton, Milroy, Osborn, Patterson, Perigo, Puett, Richards, Richardson, Roach, Shoaff of Allen, Spencer, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach, and White—34.

Mr. Miller moved to reconsider the vote just taken, and lay the motion on the table.

Which was agreed to.

Mr. Cook introduced

House bill No. 54. An act to amend section eighty-two of an act entitled "an act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent

H. J.—9.

therewith," approved March 11th, 1861, so as to authorize County Auditors to make loans of the Common School revenue in sums not exceeding one thousand dollars, and declaring when this act shall take effect.

Which was read a first time and passed to a second reading.

Mr. Woods introduced

House bill No. 55. An act authorizing persons therein mentioned to dig a canal from the Calumet River to Lake Michigan, for the purpose of draining a portion of the swamp lands of Lake and Porter counties.

Which was read a first time and passed to a second reading.

Mr. Miller of Clinton introduced

House bill No. 56. An act to repeal an act entitled "an act to ascertain the amount of the fees and salaries of the Clerks of the Supreme, Circuit and Common Pleas Courts of this State; of the Sheriff of the Supreme Court, and of the various counties in this State; of County Auditors, Treasurers, and Recorders; of Circuit and Prosecuting Attorneys, and to provide punishment for a violation of its provisions," approved June 3d, 1861.

Which was read a first time and passed to a second reading.

Mr. Coffroth introduced

House bill No. 57. An act to amend section seven hundred and eighty-four of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and powers in civil cases in the Courts in this State; to abolish distinct forms of action at law, and to provide for the administration in future of a uniform mode of pleading and practice, without distinction between law and equity," approved June 18th, 1852.

Which was read a first time and passed to a second reading.

Mr. Gregory of Warren offered the following resolution :

*Resolved*, That the Committee on Elections be instructed to inquire into the constitutionality and propriety of the passages of an act depriving from the rights of suffrage those persons who have fled, or may flee, to Canada, or any other foreign country, to evade the draft, and thus release themselves from the allegiance they are under to the laws and constitution of their own country.

Which, on motion, was adopted.

Mr. Higgins introduced

House bill No. 58. An act to amend the 5th and 6th sections of

an act regulating interest on money, and to repeal an act entitled "an act concerning interest on money," approved May 27th, 1852; the 51st section of an act "defining misdemeanors and prescribing punishment therefor," approved June 14th, 1852, and all other laws and parts of laws in conflict with this act, approved March 7th, 1861.

Which was read a first time and passed to a second reading.

Mr. Newcomb introduced

House bill No. 59. A bill to authorize railroad companies to occupy and use for railroad purposes the property of canal companies, with their consent, and to secure them in such occupation, &c.

Which was read a first time and passed to a second reading.

Mr. Boyd offered the following resolution :

*Resolved*, That the Committee on Elections be requested to inquire into the expediency of so amending the election laws of the State of Indiana as to require a registration of at least forty days before voting of all the voters of each and every township, to be kept by the Township Trustee; and that said Township Trustee shall provide for such registration, and give due notice thereof by advertising in the newspaper of most general circulation in the township.

Which, on motion, was adopted.

Mr. Miller of Tippecanoe introduced

House bill No. 60. An act to amend the eighty-third and eighty-fourth sections of an act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto, approved March 9th 1857.

Which was read a first time and passed to a second reading.

Mr. Griffith introduced

House bill No. 61. An act requiring Clerks of the Circuit Court to index the records in their office.

Which was read a first time and passed to a second reading.

Mr. Rice introduced

Joint resolution No. 11. A joint resolution for the relief of George W. Archer refunding to him the purchase money and interest thereon paid for certain real estate sold as swamp land by the State, when the title was in one Michael John.

Which was read a first time and passed to a second reading.

Mr. Foulke offered the following resolution :

*Resolved*, That no question of a partisan character shall be introduced into this House until the needful legislation so essential to the prosperity of this State shall have been performed.

Mr. Burton offered the following amendment :

WHEREAS, All political issues which heretofore divided us have been in a manner decided at the ballot box, and there is now but one vital issue before the people, namely, the issue of greenbacks.

AND WHEREAS, This great issue has apparently enhanced our National prosperity by elevating the two most cherished commodities of the country, namely, GOLD and NEGROES.

AND WHEREAS, Our individual prosperity and our National safety necessarily depend in a great degree, if not entirely, upon the GREENBACK issue, therefore,

*Resolved*, That in order to harmonize all conflicting elements upon this floor, we forget for the present, all past political differences, unite heart and hand upon this heavy issue, and cause it, if possible, to redound to the honor and glory of our common country.

*Resolved further*, That to this end, it behooves the dear people, in this emergency, to look well to their pockets, and to this end, while they place their *hearts* "upon things above," namely, *gold* and *Negroes*, they should not forget to place their *hands* upon the *thing* below, namely, *greenbacks*.

*Resolved, finally*, That this is the only policy we can pursue, if we would compensate ourselves for the losses sustained because of the many battles fought and victories lost and won in the "irrepressible conflict," between truth and error, which, though it has covered our waters and darkened our land with blood and mourning has nevertheless, produced a never ending issue, that will remain EVER GREEN in memory, till Abraham shall declare that WAR and GREENBACKS are no more.

Mr. Newcomb moved to refer the resolution and amendment to the Committee on Rights and Privileges of the Inhabitants of the State.  
Which was agreed to.

Mr. Thatcher introduced

House bill No. 62. An act empowering incorporated cities to plant and maintain shade trees along the streets, alleys, Public Square

and Commons thereof and to provide for the protection of the same at the expense of the property holders.

Which was read a first time and passed to a second reading.

Mr. Branham asked leave to take from the table his amendment to rule No. 55.

Which was agreed to,

And on motion of Mr. Branham his amendment to rule No. 55 was adopted.

Mr. Spencer offered the following resolution :

*Resolved*, That the State Librarian be and is hereby requested to supply each member of the House who has not yet been furnished with the second volume of the Revised Statutes (Gavin & Hord), at his earliest convenience, in accordance with previous instructions from this House to that effect, and that the Clerk be instructed to inform him immediately of the adoption of this resolution.

There being no quorum voting,

The speaker ordered a call of the House, when the following members answered to their names :

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Branham, Burnes, Burton, Buskirk, Church, Coffroth, Collins, Colover, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, James, Johnson, Kilgore, Lasselle, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Puett, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shaffer, Shoaff of Allen, Shuey, Sim, Spencer, Steward, Stenger, Stiver, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—89.

The question being on the adoption of the resolution,  
It was then adopted.

By unanimous consent,

Mr. Buskirk offered the following :

Notice is hereby given, that I will on to-morrow move to amend Rule 35, by adding, after the word "upon" in the 5th line the words "a motion to commit, if such motion shall have been made, and if this motion does not prevail, then,"

Mr. Branhem moved to suspend the order of business and take up House bills on second reading.

Which was agreed to.

Joint resolution No. 5 was read a second time, and,

On motion by Mr. Gregory of Montgomery,  
Was referred to the Committee on Education.

House bill No. 14 was read a second time.

Mr. Harrison offered the following amendment.

Amend section 28 by inserting the word "individual" between the words "the" and "property" where the words "not the property of the stockholders" occur.

On motion by Mr. Burnes,

The bill and amendments were referred to the Committee on Manufactures and Commerce.

Message from the Senate, by Mr. Whittlesey, their Secretary:

MR. SPEAKER:

I am directed by the Senate to report to the House Enrolled act No. 29 of the Senate, entitled, An Act to authorize the Bank of the State of Indiana to reduce the capital stock of a Branch or Branches of said Bank, to close the business and affairs of a Branch or Branches, under certain regulations, and amendatory of sections 68, 62 and 74 of an act entitled, An Act to establish a Bank with Branches, passed March 3d, 1865, for the signature of the Speaker.

Mr. Rhoads, from the Committee on Enrolled Bills, made the following report:

The Joint Committee on Enrolled Bills have examined Senate bill No. 29, and instruct me to report the same correctly enrolled.

Which was concurred in.

The Speaker announced to the House that he had signed Bill No. 29.

Leave of absence was granted Messrs. Burton, Sullivan of Vanderburg and Posey, Lockhart, Cook and Richards.

On motion by Mr. Thatcher,

The House adjourned.

FRIDAY MORNING, 9 o'clock,  
January 20th, 1865.

House met.

The Speaker ordered a call of the House, when the following members answered to their names :

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Branham, Burnes, Chambers, Church, Coffroth, Collins, Cox, Croan, Crook, Emerson, Ferris, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, James, Kilgore, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Montgomery, Newcomb, O'Brien, Osborn, Perigo, Prather, Rice, Richardson, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Stewart, Stivers, Stringer, Stuckey, Sullivan of Scott, Sullivan of Posey and Vanderburg, Thatcher, Trusler, Upson, Veach, White, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—67.

The Journal was then read and approved.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to report to the House of Representatives that the Senate has passed the following Joint Resolution thereof:

Senate joint resolution (engrossed) No. 5. A joint resolution instructing our Senators and requesting our Representatives in Congress to secure the passage of a law placing certain persons therein named on the pension rolls.

In which the concurrence of the House is respectfully requested.

I am also directed to report to the House that the Senate has adopted the accompanying memorial addressed to the Congress of the United States.

In which the concurrence of the House is respectfully requested.

The Speaker laid before the House the following communication from the Governor:

STATE OF INDIANA, EXECUTIVE DEPARTMENT, }  
Indianapolis, January 19, 1865. }

HON. JOHN U. PETTIT,

*Speaker of the House of Representatives:*

B. R. Sulgrove, Esq., my Private Secretary, is authorized to make executive communications with the House of Representatives during the present session.

O. P. MORTON,  
*Governor of Indiana.*

#### REPORTS FROM STANDING COMMITTEES.

Mr. Brown, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House resolution No. 27, relative to the printing of the Governor's Message, &c., would respectfully report that they have had the same under consideration, and would respectfully recommend that as a substitute for said resolution the following be adopted, viz:

*Resolved*, That 11,500 copies of the Governor's Message be printed, 8,000 copies to be printed in the English and 2,000 in the German language, for the use of the Governor, and 1,000 in the English and 500 in the German language, for the use of the members of the House,

Which was concurred in.

Mr. Coffroth, from the Judiciary Committee, made the following report:

*To the Speaker of the House of Representatives:*

The Judiciary Committee, to whom was referred House bill No. 8, entitled, An Act providing for the taxing of dogs, and for the payment of damages sustained in the maiming or killing of sheep by dogs, and providing penalties for the violation of any of the provisions of said act by officers and others, and also repealing an act to license dogs, approved March 11, 1861, and other laws conflicting with the provisions of this act, respectfully report back said bill and recommend its passage.

Which was concurred in.



Mr. Major from the Committee on Fees and Salaries made the following report :

MR. SPEAKER :

I am instructed by the Committee on Fees and Salaries to whom was referred House bill No. 2, introduced by Mr. Miller of Tippecanoc, relative to the Supreme Court and providing compensation thereof, to respectfully report that the 3rd section of said bill be amended so as to read two thousand five hundred instead of three thousand and that the remaining sections be referred to the Committee on the Judiciary.

Mr. Brown moved to refer the report to the Committee on the Judiciary.

Which was agreed to.

Mr. Rhoads from the Committee on Enrolled Bills made the following report:

MR. SPEAKER :

The Joint Committee on Enrolled Bills now report that they did on the 19th day of January, 1865, present to his Excellency the Governor of the State for his approval and signature "Senate bill No. 29."

Which was laid on the table.

#### HOUSE BILLS.

Mr. Miller of Clinton introduced

House bill No. 64. "An act to amend the 406th Sec. of an act entitled An Act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity."

Which was read a first time and passed to a second reading.

Mr. Lasselle introduced

House bill No. 65. An act defining an assault and prescribing a penalty &c.

Which was read the first time and passed to a second reading.

Mr. Branham gave notice that he would move at the proper time to amend Rule No. 54, as follows :

Strike out 12 and insert 10½ o'clock A. M.

Mr. Woods offered the following resolution :

*Resolved*, That the Committee on County and Township Business be requested to consider the propriety of so amending the collection laws so as to employ township collectors in each township for the collection of taxes in lieu of the plan now adopted and report by bill or otherwise.

Which was not adopted.

Mr. Milroy introduced

House bill No. 66. An act to amend the 3d section of an act entitled an act providing for the election and prescribing certain duties of County Surveyors, approved June 15th, 1852.

Which was read a first time and passed to a second reading.

Mr. Miller of Clinton introduced

House Bill No. 67. An act to entitle attorneys to hold liens on judgments.

Which was read a first time and passed to a second reading.

Mr. Gregory of Warren introduced

House bill No. 68. An act authorizing Boards of County Commissioners in this State to make donations and receive subscriptions for the purpose of erecting a monument to the memory of those from their several counties who have lost their lives in the present war for the restoration of the Union.

Which was read a first time and passed to a second reading.

Mr. Coffroth offered the following resolution :

*Resolved*, That the Committee on the Organization of Courts be instructed to inquire into the expediency of abolishing the Courts of Common Pleas and to report by bill or otherwise.

Which was adopted.

Mr. Brown asked and obtained leave of absence for Mr. Dunham.

Mr. Chambers introduced

House bill No. 69. An act to amend sections 1, 10, 11 and 20, of an act entitled an act providing for the election or appointment of Supervisors of highways and prescribing certain of their duties and those of county and township officers in relation thereto, approved March 5th, 1859.

Which was read a first time and passed to a second reading.

The hour having arrived for the consideration of House bill No. 13 which was made the special order for this hour.

The question being on the reference of House bill No. 13 and amendments thereto.

Mr. Buskirk moved to lay amendment of Mr. Shuey and amendment of Mr. Brown on the table..

Mr. Newcomb called for a division of the question.

The question being on laying on the table the amendment to the amendment of Mr. Brown.

Messrs. Buskirk and Newcomb demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Branham, Brown, Burnes, Buskirk, Chambers, Church, Coffroth, Collins, Colover, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, James, Johnson, Kilgore, Lasselle, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, McVey, Newcomb O'Brien, Olleman, Osborn, Patterson, Perigo, Prather, Puett, Reece, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Allen Shuey, Sim, Spencer, Steward, Stenger, Stivers, Stuckey, Sullivan of Scott, Sullivan of Posey and Vanderburg, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—87.

Mr. Stinger voted in the negative—1.

So the motion to lay on the table was agreed to.

The question being on laying on the table the amendment of Mr. Shuey.

Messrs. Buskirk and Newcomb demanded the ayes and noes.

Those who voted in the affirmative were.

Messrs. Abbett, Banta, Beckett, Bird, Brown, Buskirk, Coffroth, Collins, Colover, Croan, Emerson, Ferris, Glazebrook, Gregg, Hargrove, Harrison, Henricks, Higgins, Hoover, Howard, Hunt, Johnson, Lasselle, Lopp, Miller of Clinton, Milroy, O'Brien, Osborn, Patterson, Perigo, Puett, Richardson, Roach, Shoaff of Allen, Spencer, Stenger, Stuckey, Sullivan of Scott, Sullivan of Posey and Vanderburg, Thatcher, Veach and White—43.

Those who voted in the negative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cox, Crook, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hershey, Hogate, James, Kilgore, Major, Meredith, Miller of Tippecanoe, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Steward, Stivers, Stringer, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—45.

So the motion to lay the amendment of Mr. Shuey on the table did not prevail.

A message from the Governor by Mr. Sulgrove, his Secretary.

The question being on the motion to commit House bill No. 13 and amendments to the Committee on Ways and Means,

Mr. Brown offered the following amendment:

*Provided*, That no person who shall have been convicted of the crime of having belonged to any treasonable association, and has given aid and assistance to the public enemy, by a competent court, having jurisdiction of the offense, shall be entitled to the benefits of the provisions of the foregoing bill.

Mr. Newcomb moved to postpone the subject until Tuesday next, at 10 o'clock, A. M.

Mr. Brown asked leave to withdraw his motion to commit.  
Which was refused.

The House then refused to commit.

Mr. Newcomb's motion then prevailed.

Mr. Branham moved that the rules be suspended, and that the orders of the day be taken up.

Which was agreed to.

#### HOUSE BILLS ON SECOND READING.

House bill No. 15. Read a second time and referred to the Committee on Roads.

House bill No. 16. Read a second time and referred to the Committee on the Judiciary.

Message from the Senate by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof:

Engrossed Senate bill No. 49. An act to authorize the State Treasurer to refund to Winslow, Lanier & Co. moneys paid by them by request of the Governor, as interest on State Bonds, with interest on amounts so paid, and declaring an emergency.

In which the concurrence of the House is respectfully requested.

Senate Joint Resolution No. 5. A joint resolution, instructing our Senators and requesting our Representatives in Congress to secure the passage of a law placing certain persons therein named upon the Pension rolls.

Which was read a first time and passed to a second reading.

By unanimous consent,

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Committee on the Judiciary, to which were referred divers petitions of citizens in this State, praying for the enactment of a law authorizing the several counties and cities of the State to make appropriations to pay bounties to persons entering the military service of the United States, to fill the quotas of soldier required from such counties or cities, have had the same under consideration, and in accordance with the prayer of said petitioners, have instructed me to report the following bill and recommend its passage:

Mr. Newcomb introduced

House bill No. 70. An act to authorize the several counties and incorporated cities in the State of Indiana to pay bounties to volunteers in the army and navy of the United States, to contract debts and issue bonds, and to levy taxes to pay said bonds, and interest thereon; to compensate officers for signing such funds, and to provide for their ultimate redemption.

Which was read a first time, and passed to a second reading.

Mr. Branham moved to suspend the rules and take up Senate bill No. 49.

Which was agreed to.

Senate bill No. 49 was taken from the table, and  
Read a first time and passed to a second reading.

Joint Resolution No. 6 was read a second time, and,  
On motion by Mr. Brown,  
Was referred to the Committee on Federal Relations.

Mr. Coffroth moved to suspend the rules and take up House bill  
No. 46.  
Which was agreed to.

House bill No. 46 was read a second time, and,  
On motion by Mr. Coffroth,  
Was referred to the Committee on the Judiciary.

Joint resolution No. 7 was read a second time.

Mr. Buskirk moved to suspend the rules and read the resolution a  
third time now.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bonner, Boyd, Branham, Burnes, Buskirk, Chambers, Church, Coffroth, Collins, Colover, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Higgins, Hogate, Hoover, Hunt, James, Johnson, Kilgore, Lasselle, Lopp, Major, Miller of Clinton, Milroy, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Prather, Reese, Rhoads, Rice, Richardson, Riford, Sabin, Shuey, Sim, Spencer, Steward, Stenger, Stivers, Stringer, Stucky, Sullivan of Scott, Sullivan of Posey and Vanderburg, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—79.

Those who voted in the negative were,

Messrs. Hershey and Miller of Tippecanoe—2.

So the rules were suspended and joint resolution No. 7 was read a  
third time.

The question being shall the joint resolution pass.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bonner, Boyd, Branham, Burnes, Buskirk, Chambers, Church, Coffroth, Collins, Colover,

Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Johnson, Kilgore, Lasselle, Lopp, Major, Miller of Clinton, Miller of Tippecanoe, Milroy, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Prather, Reese, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shuey, Sim, Spencer Steward, Stenger, Stivers, Stringer, Stuckey, Sullivan of Scott, Sullivan of Posey and Vanderburg, Thatcher, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—88.

None voting in the negative.

So the joint resolution No. 7 passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Branham moved to take from the table House bill No. 14 and refer the same to the Committee on the Judiciary.

Which was agreed to.

Mr. Miller of Tippecanoe, moved to suspend the rules and take from the table the Governor's Message.

Which was agreed to.

*To the General Assembly of the State of Indiana :*

I have received a communication signed by a number of gentlemen of the first respectability residing in Tippecanoe county, of which the following is a copy ;

LAFAYETTE, IND., Jan. 17, 1865.

*To His Excellency,*

O. P. MORTON,

*Governor of Indiana :*

SIR:—We, the undersigned, a committee representing the citizens of Lafayette, and of Tippecanoe county, and the proprietors of the Stockwell Collegiate Institute of that county, have the honor to inform your Excellency, and through you the General Assembly now in session, that, under the instructions of their constituents, they stand prepared to convey to the State of Indiana, as a gift, the college buildings of said Collegiate Institute, and the appurtenant grounds, situated at the village of Stockwell, near the city of Lafayette, together with one hundred and sixty acres of land lying adjacent thereto, on condition that the same be accepted and adopted for the establishment of the Agricultural College which may be instituted

by the General Assembly under the munificent endowment provided by the act of Congress passed July 2, 1862.

The proposed gift embraces an elegant new brick edifice, built upon the principles of agricultural beauty, and with special reference to use as a first class educational establishment. It is one hundred and one feet long by forty-eight feet deep, solidly constructed throughout, and upon a plan which admits of numerous additions calculated to heighten rather than impair its present architectural effect. It is two stories high, above the basement, and is surmounted by a brick tower seventy-five feet high. It contains all the necessary rooms for Chapel, Study, Recitation, Lecture and Philosophical purposes, and in its present dimensions can accommodate about four hundred students. The grounds appurtenant to and surrounding the college building are covered by a fine open grove and embrace nearly eighteen acres. Facing these, and separated by a village street, is a tract, from six to twelve acres, which it is proposed to include in the donation, and which, it has been thought, would form a desirable site for the residences of the Faculty.

The one hundred and sixty acre tract is distant about one square from the college grounds, but approachable by three streets. It is a smooth, level tract, enclosed, partly in timber and partly cultivated, and contains a large and fruitful orchard. It would answer excellently for the *model farm*, which will probably be, and adjacent to the Agricultural College.

It may be added in this connection, that the village of Stockwell is situated exactly midway between Chicago and Cincinnati, on the Lafayette and Indianapolis Railroad, and, by this channel, is in convenient railroad communication with all the principal towns and cities in Indiana.

The undersigned, in conclusion, would remark, that they are fully impressed with the magnitude and value of the donation made to Indiana by our common country (whose generosity survives amidst her worst sufferings), and that in the application of this rich benefice a becoming regard to the scope and intent of the gift should exclude all considerations not comprehending the common interest of all parts of the State. Feeling that they have these in view in so remitting their proposal, and that the location they proffer would be to the general advantage of all sections of Indiana, they trust your Excellency may see fit to acquaint the General Assembly with their foregoing proposal; in which hope they remain,

Very respectfully, your Excellency's obedient servants,

ROB'T STOCKWELL,  
W. F. REYNOLDS,  
JAMES SPEAR,  
JOHN L. SMITH,  
SAM'L A. HUFF,  
JAMES P. LUCE,  
JOHN A. STEIN,

W. H. HATCHER,  
HENRY TAYLOR,  
CYRUS BALL,  
CHRIS. MILLER,  
GODLOVE O. BEHNEE,  
S. C. KIRKPATRICK,  
W. R. ELLIS,



DAVID McBRIDE,  
CHAS. WISE,  
R. C. GREGORY,  
JOHN PETTIT,  
GEO. D. WAGONER,  
E. M. WEAVER,  
W. C. WILSON,  
D. H. CROUSE,

HARNET R. WHITE,  
MOSES FOWLER,  
MARY E. COURTNEY,  
W. P. HEATH,  
ADAM EARL,  
M. L. PEARCE,  
ELI N. COOPER,  
JOHN L. REYNOLDS,

The above communication is made upon the supposition that the Legislature will accept the grant of land made by Congress for the establishment of a College in which instruction in Agriculture and Mechanic Arts will be the paramount object, and that the fund realized from the grant will be applied to the establishment of one institution, and not divided among several existing colleges. Should such be your action, I desire to call your attention to this very generous proposition, and trust it will be duly considered. The property offered is valuable and the location is healthy, and in the midst of a prosperous agricultural community, and the high character of the gentlemen making the offer is a sufficient guarantee of its performance on their part. In laying this proposition before you, I do not wish to be understood as recommending its acceptance over any other that may be made. Should such an institution be established there will be, doubtless, much competition for its location. Other offers will be made, and other localities presented; among which it will be the duty of the Legislature to select the best, all circumstances considered.

O. P. MORTON,  
*Governor of Indiana.*

Which,

On motion,

Was referred to the Committee on Education.

Messrs. Ferris, Lasselle and Puett were granted leave of absence till Monday; Mr. Sullivan of Scott till Tuesday, and Mr. James till Wednesday next.

On motion by Mr. Burnes,

The House adjourned till 9 o'clock to-morrow morning.

SATURDAY MORNING, 9 o'clock, }  
January 21st, 1865. }

The House met.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Abbett, Banta, Beckett, Bird, Bonner, Boyd, Branham, Burnes, Chambers, Coffroth, Collins, Colover, Cox, Croan, Crook, Emerson, Goodman, Glazebrook, Gregory of Warren, Gregory, of Montgomery, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hoover, Hunt, Kilgore, Lemon, Lopp, Major, Meredith, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Prather, Reese, Rice, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Spencer, Steward, Stenger, Stivers, Sullivan of Posey and Vanderburg, Thatcher, Trusler, Upson, Veach, Welch, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—67.

The Journal was then read and approved.

Message from the Senate by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following concurrent resolution:

*Resolved by the Senate, (the House of Representatives concurring therein,) That the Doorkeepers of their respective Houses be instructed to suspend the National Flag to the dome of the Capitol, to remain during the present session of the Legislature; Provided, the same can be procured on reasonable terms.*

In which the concurrence of the House is respectfully requested.

#### PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Sabin,

A petition in behalf of the citizens of Steuben county, State of Indiana, praying that the laws regulating the price of labor on the highways may be altered or amended so that each person performing labor thereon shall be entitled to one dollar and fifty cents per day instead of one dollar per day.

Which,

On motion,

Was referred to the Committee on Roads.

## REPORTS FROM STANDING COMMITTEES.

Mr. Trusler, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

I am instructed by the Judiciary Committee, to whom was referred the resolution in relation to the ordinance of the city of Indianapolis, providing for the punishment of persons recruiting or soliciting enlistments in said city, to recommend that said resolution be referred to a select committee appointed by the Chair, to inquire into the propriety or legality of said ordinance, and submit the following resolution for adoption :

*Resolved*, That the Committee on the Judiciary be instructed to inquire and report to this House, without delay, what legislation is necessary to protect the citizens of the State from an ordinance of the city of Indianapolis for the punishment of persons soliciting enlistments or obtaining substitutes in said city, and report by bill or otherwise.

Which was concurred in.

Mr. Boyd, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims to whom was referred the claim of Samuel H. Patterson, have had the same under consideration, and are satisfied that there is due said Patterson from the State the sum of \$2,091 34, and they beg leave to report the following bill, and recommend its passage.

Which, on motion, was laid on the table.

Mr. Buskirk gave the following notice : Notice is hereby given, that I will move to amend the Standing Rules of this House by providing that when a bill has been committed to a Standing or Special Committee, and such Committee shall report amendments thereto, the House shall take action on such amendments immediately, unless the further consideration thereof shall be postponed by a vote of the House.

Mr. Gregory, Chairman of the Committee on Education, made the following report.

MR. SPEAKER :

The Committee on Education have instructed me to make the fol-

lowing report on joint resolutions No. 3 and 4, offered by Mr. Woods of Lake county, in relation to the proposition to amend Article 8 of the Constitution so as to enable cities, towns, townships and sub-districts to levy taxes for the support of common schools; also to amend the 23d Section of Article 4th of the Constitution on the same subject. Your Committee are of the opinion that further legislation on that subject at this time is inexpedient; that the object sought by said change in the Constitution can be remedied by incurring the general tax for the support of common schools under the present Constitution; that the Committee on Education are now preparing a bill on that subject, of a uniform character throughout the State by an increase of taxation, so that a few schools may be taught from 6 to 8 months in the year in cities, towns and townships.

All of which is respectfully submitted.

Which was concurred in.

Mr. Major, from the Committee on Fees and Salaries, made the following report.

MR. SPEAKER:

I am instructed by the Committee on Fees and Salaries, to whom was referred House bill No. 4, introduced by Mr. Griffith, and entitled an act fixing the per diem and mileage of Senators and Representatives of the General Assembly, for providing officers therefor, and fixing the compensation thereof, to report that they have had the same under consideration and would amend by striking out the 2nd and 3d sections of said bill, inasmuch as the 10th section of the 4th Article of the Constitution fully provides that each House shall choose its own officers.

Which, on motion, was laid on the table.

Mr. Branham's motion to amend Rule, No. 54, by striking out 12 and inserting 10½ o'clock, was taken up, and,

On motion by Mr. Branham,

The same was adopted.

Mr. Bird introduced

House bill, No. 71. A bill for the relief of Ann Vizard, &c.,

Which was read a first time, and passed to a second reading.

Mr. Gregg offered the following resolution:

*Resolved*, That the Hall of the House be tendered to the Hon.

Henry Walker on Tuesday evening next, for the purpose of his delivering a lecture on the condition of the country.

Which was adopted.

Mr. Rhoads, from Joint Committee on Enrolled Bills, made the following report :

MR. SPEAKER:

The Joint Committee on Enrolled Bills respectfully report, that on the 20th day of January, 1865, they presented to his Excellency, O. P. Morton, Governor of the State, enrolled House bill, No. 3, for his approval and signature.

Which,

On motion,

Was laid on the table.

Mr. Henricks moved to take from the table House bill, No. 72, reported by the Committee on Claims yesterday.

Which was agreed to.

House bill, No. 72. An act to reimburse Samuel H. Patterson, late lessee of the Indiana State Prison, for money expended by him on account of work and labor rendered by sundry convicts during said Patterson's lease of said prison.

Which was read a first time, and passed to a second reading.

Mr. Rice introduced

House bill, No. 73. An act to amend sections six, ten, fourteen and twenty, of an act entitled, an act providing for the election or appointment of Supervisors of Highways, and prescribing certain of their duties, and those of County and Township Officers in relation thereto: approved, March 5th, 1859.

Which was read a first time, and passed to a second reading.

Mr. Miller, of Clinton, introduced

House bill, No. 74. A bill relating to forms of conveyance of real estate sold on execution by Sheriffs or Coroners, and prescribing certain duties of Clerks of Courts, and the compensation thereof.

Which was read a first time, and passed to a second reading.

Mr. Branham moved to suspend the order of business, and take up Senate bill, No. 49.

Which was agreed to.

Senate bill, No. 49, was read a second time.

Mr. Coffroth offering the following amendment :

That the sum of six hundred and forty thousand dollars be and the same is hereby appropriated, to pay the interest upon our public debt falling due July, 1863, January and July, 1864, and January, 1865; that upon the passage and approval of this act, the Auditor of State shall draw his warrant on the Treasurer of State for said sum of money, and that said sum of money is hereby placed under the control and management of the Treasurer of State, who is authorized and empowered, and directed to pay to the owners of the Bonds of the State such interest as may be due and unpaid thereon, or to the assignee or assignees of the several installments of interest on such Bonds; and the said Treasurer is directed to take proper receipts for such interest, and an assignment to the State of the assignments made by the bondholders for such interest.

SEC. 2. That an emergency exists for the immediate taking effect of this act, therefore the same shall take effect and be in force from and after its passage, and filing in the office of the Secretary of State.

The question being on the adoption of the amendment offered by Mr. Coffroth,

Messrs. Buskirk and Coffroth demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Bird, Brown, Burwell, Buskirk, Coffroth, Collins, Colover, Croan, Dunham, Glazebrook, Gregg, Hargrove, Harrison, Howard, Hunt, Lemon, Lopp, Miller of Clinton, Milroy, O'Brien, Osborn, Patterson, Perigo, Roach, Shoaff of Allen, Spencer, Stenger, Stuckey, Thatcher and Veach—31

Those who voted in the negative were,

Messrs. Banta, Boyd, Branham, Burnes, Chambers, Church, Cox, Crook, Emerson, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Steward, Stivers, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, Willis, Woodruff, Woods. Wright, Zeigler and Mr. Speaker—49.

So the amendment was lost.

Mr. Buskirk offered the following amendment :

That the sum of six hundred and forty thousand dollars be and the

same is hereby appropriated to pay the interest upon our public debt falling due July, 1863, January and July, 1864, and January, 1865; that upon the passage and approval of this act the Auditor of the State shall draw his warrant on the Treasurer of State for said sum of money, and that said sum of money is hereby placed under the control and management of the Treasurer of the State, who is authorized, empowered and directed to pay to the owners of the bonds of the State such interest as may be due and unpaid thereon, and to the assignee or assignees of the several installments of interest on such bonds, and the said Treasurer is directed to take the proper receipts for such interest and an assignment to the State of the assignments made by the bondholders for such interest.

Section 2. That interest at the same rate as is borne by the bonds themselves, shall be paid to the bondholders or their assignees upon the unpaid installments of interest on such bonds from the time that such installments became due to the present time, and such further sum is hereby appropriated as may be required to pay such interest on the unpaid installments of interest on our public bonds.

Section 3. That an emergency exists for the immediate taking effect of this act, therefore the same shall take effect and be in force from and after its passage, and filing in the office of the Secretary of State.

Mr. Church demanded the previous question,  
Which was seconded.

The question being, shall the main question be now put?

Messrs. Brown and Beckett demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Banta, Boyd, Branham, Burnes, Chambers, Church, Cox, Crook, Emerson, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Major, Meredith, Miller of Tippecanoe, Montgomery, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Steward, Stivers, Sullivan of Posey and Vanderburgh, Trusler, Upson, Willis, Woodruff, Woods, Zeigler and Mr. Speaker— 44.

Those who voted in the negative were,

Messrs. Beckett, Bird, Brown, Burwell, Buskirk, Coffroth, Collins, Colover, Croan, Dunham, Glazebrook, Gregg, Hargrove, Harrison, Howard, Hunt, Lemon, Lopp, Miller of Clinton, Milroy, McVey, Newcomb, O'Brien, Osborn, Patterson, Perigo, Roach, Shoaff of Allen, Spencer, Stenger, Stuckey, Thatcher, Veach, Welch, and Wright—35.

So the main question was ordered to be put.

Mr. Branham moved that when the House adjourn, it adjourn till 2 o'clock, P. M., Monday.

Which was agreed to.

The Speaker laid before the House the following communication from the Governor, by Mr. Sulgrove, his Private Secretary.

STATE OF INDIANA, EXECUTIVE DEPARTMENT, }  
Indianapolis, January 21st, 1865. }

MR. SPEAKER:

I am directed by the Governor to inform the House that he has approved House bill, No. 3, entitled an act to legalize the proceedings of the Court of Common Pleas of Jackson county, at the October term, 1864.

Mr. Gregory moved that the Committee on Education be allowed a Clerk during the remainder of the session.

Which was agreed to.

Pending the main question, and the amendment of Mr. Buskirk.

On motion of Mr. Buskirk,

The House adjourned.

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MONDAY AFTERNOON, 2 o'clock, }  
January 23d, 1865. }

The House met.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Abbett, Banta, Beckett, Bird, Boyd, Branham, Burnes, Burwell, Church, Collins, Colover, Cox, Croan, Crook, Emerson, Foulke, Goodman, Glazebrook, Gregory of Montgomery, Gregory of



Warren, Groves, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, Johnson, Kilgore, Lemon, Lopp, Major, Meredith, Miller of Tippecanoe, Miller of Clinton, Milroy, Montgomery, McVey, O'Brien, Olleman, Osborn, Patterson, Perigo, Puett, Reese, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Steward, Stenger, Stuckey, Trusler, Upson, Veach, Welch, White, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—67.

The Journal was then read and approved.

The pending question on the adjournment on Saturday, being on the amendment offered by Mr. Buskirk, to Senate bill No. 9, the same was taken up.

Those who voted in the affirmative were,

Messrs. Abbott, Beckett, Bird, Brown, Burwell, Buskirk, Collins, Colover, Croan, Glazebrook, Gregg, Hargrove, Humphreys, Hunt, Lasselle, Lemon, Lopp, Miller of Clinton, Milroy, O'Brien, Osborn, Patterson, Perigo, Puett, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Spencer, Stenger, Stuckey, Veach and White—33.

Those who voted in the negative were,

Messrs. Banta, Boyd, Branham, Burns, Church, Cox, Crook, Emerson, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Riford, Sabin, Shuey, Sim, Steward, Stringer, Trusler, Upson, Welch, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—45.

So the amendment was lost.

Mr. Brown offered the following amendment :

Amend the preamble by inserting the following :

AND WHEREAS, Such bondholders assigned to Winslow, Lanier & Co. their claims for installments of interest, who assigned the same to Matthew L. Brett, who is now the legal holder thereof.

Amend the first section by striking out the name of Winslow, Lanier & Co., and insert the name of Matthew L. Brett.

Message from the Senate, by Mr. Whittlesey, their Secretary :

MR. SPEAKER :

I am directed by the Senate to return to the House the accompanying preamble and resolution, relative to the transmission of mes-

sage, from the House to the Senate, and to inquire whether the said preamble and resolution actually passed the House, and is intended to be considered as a part of the proceedings thereof.

To which inquiry of the Senate, an answer is respectfully requested.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof, to-wit :

Engrossed Senate bill No. 4. A bill to provide for the making and authentication of transcripts from the records of the Recorder's office in certain cases, and for the admissibility in evidence of the same, and certified copies of deeds and mortgages contained therein.

Engrossed Senate bill No. 7. A bill to amend section second of an act approved May 11th, 1861, entitled "an act to fix the times of holding Courts of Common Pleas in the several counties of this State, the duration of the terms thereof, and making all process returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved May 5th, 1859.

Engrossed Senate bill No. 8. A bill to amend an act entitled "an act to repeal all laws now in force for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same," approved March 9th, 1857.

Engrossed Senate bill No. 11. An act repealing section 10 of an act entitled "an act to establish Courts of Conciliation, to prescribe rules and proceedings therein, and compensation of the judges thereof," approved June 11th, 1852, and declaring when the same shall take effect.

Engrossed Senate bill No. 14. A bill to amend an act entitled "an act in relation to County Treasurers," approved June 4th, 1852, and declaring an emergency.

Engrossed Senate bill No. 1. A bill appropriating seventy-five thousand dollars for the expenses of the present session of the General Assembly, and providing the manner of the payment of the members and officers, and their assistants, and appointees of the Senate and House of Representatives.

Also, Senate Engrossed Joint Resolution No. 10. A Joint Reso-

lution relative to the establishment of a Bonded Tobacco Warehouse at Evansville, Indiana.

In which the concurrence of the House of Representatives is respectfully requested.

I am also directed to return to the House the following engrossed Joint Resolution thereof, the same having passed the Senate :

Engrossed Joint Resolution of the House No. 7. A Joint Resolution, instructing our Senators, and requesting our Representatives in Congress, to endeavor to obtain an appropriation for the improvement of the harbor at Michigan City.

Messrs. Atkinson and Stivers were granted leave of absence.

The pending question being on the amendment offered by Mr. Brown to Senate bill No. 49,

On motion by Mr. Buskirk,  
The House adjourned till 9 o'clock to-morrow morning.

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TUESDAY MORNING, 9 o'clock, }  
January 24th, 1865. }

The House met.

Journal read and approved.

#### PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Meredith,

A remonstrance from the citizens of Sullivan county, Indiana, protesting against the Commissioners appropriating money for the protection of persons who might be drafted in said county to fill the recent call of the President for five hundred thousand men.

Which,

On motion,

Was referred to the Committee on the Judiciary.

By Mr. Higgins,

A petition from Stephen T. Meade, Sheriff of Laporte county

submitting claim for money expended by him in conveying Alvin Mott, a prisoner, from Laporte to Jeffersonville, Indiana, and asking compensation therefor.

Which

On motion,

Was referred to the Committee on Claims.

By Mr. Kilgore,

A petition praying for the relief of L. S. Newell, teacher of music in the Institute for the Blind.

Which,

On motion,

Was referred to the Committee on Claims.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Wright, from the Committee on Manufactures and Commerce, made the following special report :

MR. SPEAKER :

The Committee on Manufactures and Commerce, to which was referred House bill No. 63, with amendment, has had the same under consideration, and have directed me to report the same back to the House and ask the adoption of the amendment, and when so amended, recommend the passage of the bill.

Which,

On motion,

Was laid on the table.

Mr. Meredith, from the Committee on Benevolent and Scientific Institutions, made the following special report :

MR. SPEAKER :

The Committee on Benevolent and Scientific Institutions, to which was referred the following preamble and resolutions, have examined the subject matter of said resolutions, and have directed me to report as follows :

#### RESOLUTIONS.

WHEREAS: The law for the government of the Asylum for the Deaf and Dumb forbids that any Trustee thereof shall be allowed to furnish materials for building purposes, nor shall they be either directly or indirectly interested in the purchase of any article of merchandise or supplies for the use of such Institutions, and

WHEREAS: Andrew Wallace has for several years been President of the Board of all the Benevolent and Scientific Institutions, including the Asylum for the Deaf and Dumb, and

WHEREAS: The Annual Report of the Commissioners, Superintendent and Steward of the Indiana Hospital for the Insane for the year 1864 shows that one Andrew Wallace has furnished to such Institution about fifteen thousand dollars worth of groceries; therefore,

*Resolved*, That the Committee on Benevolent and Scientific Institutions, be instructed to inquire and report if the said Andrew Wallace, who sold said groceries is the same person who was and is the President of the said Boards, and that said Committee be further instructed to make a thorough and careful investigation into the management of all of said Institutions, and ascertain and report whether any officer connected with either or all of such Institutions has furnished any materials or supplies to said Institutions, and if any such officer has so furnished such materials and supplies to report the name of such officer, and the Institution of which he is a Trustee or an officer, and the value of such materials and supplies, with such recommendation as may be deemed right and proper, under all the facts and circumstances, and such Committee shall have power to send for persons and papers, and examine witnesses under oath.

And that said Andrew Wallace shall have the right to be present at such investigation, and introduce evidence, if he desires so to do.

In pursuance of the instructions of the foregoing resolution, the Committee reports that the said Andrew Wallace referred to in said resolution is the same person who is President of the Board of Commissioners of the Hospital for the Insane, and also President of the Board of Trustees for the Deaf and Dumb and Blind Asylums, and is also the same person who has furnished these Institutions with divers articles of merchandize during the past two years. And, furthermore, the Committee, under the resolution copied herein, have examined persons, papers and accounts as to the circumstances under which said articles of merchandize were furnished by the said Wallace to said institutions. The Statute governing the Hospital for the Insane does not prohibit any Commissioner, or Trustee, or officer connected with such institutions from furnishing them with building material or merchandise; therefore, the said Andrew Wallace violated no provision of the Statute in so doing.

The Committee further report, that the said Andrew Wallace, as appears by the Annual Report of the Board of Trustees and Steward of the Insane Hospital, has sold to said Hospital large amounts of merchandize; but on the examination of persons and accounts, such sales, it appears, have been made at prices so low, in comparison with the ruling prices of such articles at the time such sales were made, as to preclude the idea of any desire on the part of Mr. Wal-

lace to speculate off such institutions or charge unreasonable prices for merchandize thus sold. In no instance does it appear, after careful examination by the Committee, that the said Wallace has extorted or dealt unfairly with either of the institutions referred to in the resolution of instructions copied above.

The section of the statute prohibiting any Trustee or resident officer from selling to the Blind Asylum reads as follows :

“There shall in no case be purchased of any of the Trustees or resident officers any article for the use of the Institute or for building, or other purposes, excepting when such purchase shall be recommended by the Superintendent, and approved by a unanimous vote of the Board of Trustees.”

By reference to the Annual Report of the Trustees and Superintendent of the Institute, for the Education of the Blind, it is ascertained that the said Andrew Wallace during the two past years has sold such Institute merchandise to the amount, as it appears by the Report, of near \$3,000; but that such sales were made under the recommendation of the Superintendent, and approved by a unanimous vote of the Board of Trustees, as provided by the section of the statute quoted above, and that such merchandise was sold as cheaply as could be bought elsewhere in the market, and under such circumstances as to totally preclude the idea of any attempt or desire on the part of the said Wallace to speculate off the Institute by such sales. And furthermore, the Committee reports that an examination of the management of the Benevolent Institutions under the resolution copied above, discloses no case of official misconduct in the way of furnishing merchandise to said Institutions or Asylums. In consideration of the circumstances involved in the subject matter of this report, the Committee unanimously agree in recommending Andrew Wallace as a faithful public officer, of the strictest integrity in the discharge of his official duties as President of the Board of Commissioners for the Hospital for the Insane, and also as President of the Board of Trustees of the Deaf and Dumb and Blind Asylums or Institutes. And furthermore, the Committee respectfully ask to be discharged from the further consideration of the subject matter involved in said resolution.

Mr. Buskirk moved to lay the report on the table.  
Which was agreed to.

Mr. Steward, from the Committee on Libraries, made the following report :

MR. SPEAKER :

The Joint Committee to whom was referred the Report of the State

Librarian, with accompanying documents, report that they have had the same under consideration, and after the examination of the Library rooms, submit the following report :

Your Committee would say that they find the Library, generally, in good condition ; the manner in which it is arranged, reflects great credit on the taste and diligence of the late Librarian. There is a decided neatness and order about the arrangement that must command the attention of any one. The amount allowed by law for refitting, rebinding, and all other internal improvements, is entirely inadequate to pay for the amount of work that should be done in that line.

Your Committee, therefore, recommend that a sum not less than one thousand dollars be appropriated annually for that purpose.

Your Committee further join in the recommendation of the retiring Librarian, that the annual compensation of the Librarian be so increased, as to be in some correspondence with the enhanced price of living.

There should also, in the estimation of your Committee, be a contingent fund of from four to five hundred dollars placed in the hands of the Librarian, to meet expenses on Express matter, postage and stationery.

Your Committee learn that some gentlemen in this city, employed an Artist to paint a portrait of the late Stephen A. Douglass, which was, at their suggestion, placed in the State Library. On this painting the late Librarian paid a balance of ten dollars, for which he holds a voucher. Your Committee recommend an allowance of the above sum to Mr. Stevenson.

Such portraits are an ornament to the Library, and your Committee recommend that the Librarian be directed to procure for the Library the portraits of all who have been Governors of this State and Territory.

Which,

On motion of Mr. Branham,

Was referred to the Committee on Ways and Means.

#### HOUSE BILLS ON FIRST READING.

Mr. Hargrove introduced

House bill No. 75. A bill to empower Railroads to construct Branches to neighboring coal mines.

Which was read a first time, and passed to a second reading.

Mr. Henricks gave notice that he would, at the proper time, move to amend Rules 58 and 59, so as to refer bills on first reading.

Mr. Henricks offered the following amendment :

Amend the 58th Rule, by striking out the following words in the

fourth line, to wit: "The bill shall go to its second reading without a question," and insert in lieu thereof the following words, to wit:—The bill may then be referred to a committee without debate, and any member of the House desiring to prepare an amendment or amendments thereto, may hand the same in writing to the Chairman of such Committee, who shall present the same to such committee, when said bill is under consideration.

Amend Rule 59, by striking out the word "committed" in the second line, and insert the word "re-committed" in lieu thereof.

Mr. Miller, of Clinton, introduced

House bill No. 76. A bill to amend the 79th and 97th sections of an act entitled, an act to provide for a general system of Common Schools, the officers and their respective powers and duties, and matters properly connected therewith; and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith.

Which was read a first time, and passed to a second reading.

Mr. Newcomb introduced

House bill No. 77. A bill to provide for the settlement of the estates of persons who have been absent from their place of residence and not heard from for seven years or more.

Which was read a first time, and passed to a second reading.

Mr. Johnson introduced

House bill No. 78. A bill to provide for the sale of certain lands belonging to the State of Indiana in the counties of Jasper and Newton, and to give pre-emption to actual settlers thereon.

Which was read a first time, and passed to a second reading.

Mr. Stringer introduced

House bill No. 79. A bill to amend an act entitled, "An Act providing for the election or appointment of Supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved March 5th, 1859.

Which was read a first time, and passed to a second reading.

Mr. Osborne introduced

House bill No. 80. A bill to raise a revenue for State purposes, for the years 1865 and 1866.

Which was read a first time, and passed to a second reading.



Mr. Coffroth introduced

House bill No. 81. A bill to amend section second of an act entitled, "An Act to enable the owners of wet lands to drain and reclaim them, when the same cannot be done without affecting the lands of others," approved March 7, 1863.

Which was read a first time and passed to a second reading.

Mr. Shoaff, of Allen, offered the following resolution:

WHEREAS: As the contestor for the seat of Cornelius J. Miller, Representative from the county of Clinton, has been notified by the contestee in said case of his (contestee's) intention to proceed to take the deposition of one B. N. Waddell on Thursday, the 26th instant, at Michigan town, in Michigan township, in said county, to be read in evidence in said case,

*Resolved*, That said contestee be allowed to take the deposition of said witness at said time and place, and that the same be admitted in evidence in said contest, and that said contestee be granted leave of absence for that purpose.

Mr. Griffith offered the following amendment:

To amend the resolution of Mr. Shoaff, of Allen by inserting in the proper place, "provided said depositions be taken within one week from the present time."

The resolution as amended was adopted.

The hour having arrived for the special order, which was on the reference of House bill No. 13, and Mr. Brown's amendment, the same was taken up.

By unanimous consent,

Mr. Brown withdrew his amendment.

Mr. Brown then offered the following amendment as a substitute to the one withdrawn:

*Provided*, That no person or persons who shall have been duly convicted, by a competent court having jurisdiction of the offense, of having accepted a commission or commissions from any person or persons, State or States, or other enemies of this State, or the United States, for the purpose of joining or commanding any army or band of men hostile to, or in rebellion against this State, or the United States, or who shall knowingly and willfully aid or assist any enemies

in open war, or persons in rebellion against this State, or the United States, by joining their armies, or by enlisting, or procuring or persuading others to enlist for that purpose, or by furnishing such enemies or persons in rebellion with arms or ammunition or provisions, or any other articles for their aid or comfort, or by shipping, sending or carrying to such enemies or rebels, or their agents, any arms, ammunition, provisions, or other articles for their aid or comfort, or by carrying on a traitorous correspondence with them, or shall form or be in anywise concerned in forming any combination, or plot, or conspiracy for betraying this State, or the United States, or the armed forces of either, into the hands or power of any foreign enemy, or of any organized or pretended government, engaged in resisting the laws or authority of the Government of the United States of America, or shall give or send any intelligence to such enemies or pretended government, or their forces, for that purpose, shall not be entitled to the benefit of the provisions of the foregoing bill.

Mr. Buskirk moved that when the House adjourn, it adjourn till 2 o'clock, P. M., and that House bill No. 13, and the amendment offered by Mr. Brown, be made the special order for that time.

Which was agreed to.

The pending question on the adjournment yesterday being on Senate bill No. 49 and Mr. Brown's amendment the same was taken up.

On motion by Mr. Collins,  
The House adjourned.

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TUESDAY AFTERNOON, 2 O'CLOCK, }  
January 24th, 1865. }

The House met.

House bill No. 13 and Mr. Brown's amendment, having been made the special order for this hour, the same was taken up.

Mr. Newcomb moved to refer the bill and pending amendment to the Committee on Claims.

Mr. Brown moved to amend by referring to the Committee on the Judiciary.

Mr. Buskirk offered the following amendment :

Amend Section 4 of House bill No. 13 by adding to the end of the section the following :

And shall, as soon as their labors are completed, report their proceedings, their finding and the facts upon which each claim is founded, to the "Revisory Board," separating said claims into the following classes.

1st. Claims for property taken, destroyed or injured by the rebels.

2nd. Claims for property taken, destroyed or injured by Union forces under command of United States officers.

3rd. Claims for property taken, destroyed or injured by Union forces not under the command of United States officers, with a statement showing specifically in each case under what circumstances and by what authority such property was so taken, injured or destroyed.

Sec. —. Each claimant for personal property shall prove whether the same was listed in his name in 1863 for taxation in this State and if so whether he placed the valuation thereon, and no claimant for the loss or destruction of property so listed and valued by himself shall be allowed a greater sum than such valuation.

The question being shall House bill No. 13 and pending amendments be referred to the Committee on the Judiciary.

It was so referred.

Mr. Miller, of Tippecanoe, moved to suspend the order of business and take up Senate bill No. 49.

Which was unanimously agreed to.

Mr. Wright demanded the previous question.

Which was seconded.

The question being shall the main question be now put?

Messrs. Brown and Coffroth demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Banta, Bonner, Boyd, Branham, Burnes, Church, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Warren, Gregory of Montgomery, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Rhoads, Rice, Riford, Sabin,

Shuey, Sim, Steward, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—48.

Those who voted in the negative were,

Messrs. Abbett, Bird, Brown, Burwell, Buskirk, Chambers, Coffroth, Collins, Colover, Croan, Dunham, Glazebrook, Gregg, Griffith, Hargrove, Harrison, Hunt, Lasselle, Lemon, Lopp, Milroy, O'Brien, Osborn, Patterson, Perigo, Puett, Reese, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach and White—37.

So the main question was ordered to be put.

The question being on the adoption of the amendment offered by Mr. Brown.

Messrs. Brown and Abbett demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Bird, Brown, Burwell, Buskirk, Coffroth, Collins, Colover, Croan, Dunham, Glazebrook, Gregg, Hargrove, Harrison, Hunt, Lasselle, Lemon, Lopp, Milroy, O'Brien, Osborn, Perigo, Puett, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach and White—33.

Those who voted in the negative were,

Messrs. Banta, Bonner, Boyd, Branham, Burns, Chambers, Church, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Steward, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, Whiteside, Willis, Woods, Wright, Zeigler and Mr. Speaker—52.

So the amendment was lost.

The question being shall the bill be read a second time?  
It was agreed to.

Senate bill No. 49, was read a third time,

And the question being shall the bill pass?

Mr. Branham demanded the previous question on the passage of the bill, which was seconded.

Messrs. Brown and Dunham demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cox, Cook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Herschy, Higgins, Hogate, Hoover, Johnson, Kilgore, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoades, Rice, Riford, Sabin, Shuey, Sim, Steward, Stringer, Sullivan of Vanderburg and Posey, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—52.

Those who voted in the negative were,

Messrs. Abbett, Beckett, Bird, Brown, Burwell, Buskirk, Coffroth, Collins, Colover, Croan, Dunham, Glazebrook, Gregg, Hargrove, Harrison, Hunt, Lasselle, Lemon, Lopp, Milroy, O'Brien, Osborn, Patterson, Perigo, Puett, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach and White—35.

So the main question was ordered.

Mr. Brown moved to adjourn.

Which was not agreed to.

The question being shall the bill pass?

Those who voted in the affirmative were,

Messrs. Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Warren, Gregory of Montgomery, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Steward, Stringer, Sullivan of Posey and Vanderburgh, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—52.

Those who voted in the negative were.

Messrs. Abbett, Beckett, Bird, Brown, Burwell, Buskirk, Coffroth, Collins, Croan, Dunham, Glazebrook, Gregg, Hargrove, Harrison, Hunt, Lasselle, Lemon, Lopp, Milroy, O'Brien, Osborn, Patterson, Perigo, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach, and White—33.

So the bill passed.

*Ordered*, that the Clerk inform the Senate thereof.

Mr. Brown moved to adjourn.

Which was not agreed to.

Mr. Newcomb moved to reconsider the vote just taken on the passage of the bill, and lay that motion on the table.

On which Messrs. Brown and Dunham demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cox, Crook, Emerson, Foulke, Ferris, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Major, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Puett, Reese, Rice, Riford, Sabin, Shuey, Sim, Steward, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, Whiteside, Willis, Woods, Wright, Zeigler and Mr. Speaker—56.

Those who voted in the negative were,

Messrs. Abbett, Beckett, Bird, Brown, Burwell, Buskirk, Coffroth, Collins, Colover, Croan, Dunham, Glazebrook, Gregg, Hargrove, Harrison, Hunt, Lasselle, Lemon, Lopp, Meredith, Milroy, O'Brien, Osborn, Patterson, Perigo, Rhoads, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stringer, Stuckey, Sullivan of Scott, Thatcher, Veach, White, and Woodruff—37.

So the motion to reconsider and lay on the table was adopted.

#### SENATE BILLS ON FIRST READING.

Senate bill No. 1. A bill appropriating seventy-five thousand dollars for the expenses of the present session of the General Assembly and providing the manner of the payment of the members and officers and their assistants, and appointees of the Senate and House of Representatives.

Was read a first time, and passed to a second reading.

Mr. Rhoads, from the Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills, have examined Enrolled Joint Resolution No. 7, (House of Representatives,) and instruct me to report the same as correctly enrolled.

Senate bill No. 4. A bill to provide for the making and authentication of transcripts from the records of the Recorder's office, in certain cases, and for the admissibility in evidence of the same, and certified copies of the deeds and mortgages contained therein.

Was read a first time, and passed to a second reading.

Senate bill No. 7. An act to amend section second of an act approved May 11th, 1861, entitled "an act to fix the time of holding Courts of Common Pleas in the several counties of this State, the duration of the terms thereof, and making all process returnable to such term, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved May 5th, 1869.

Was read a first time and passed to a second reading.

Engrossed Senate bill No. 8. A bill to amend an act entitled "an act to repeal all laws now in force for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same," approved March 9th, 1857.

Was read a first time, and passed to a second reading.

Senate Joint Resolution No. 10. A Joint Resolution relative to the establishment of a Bonded Tobacco Warehouse at Evansville, Indiana.

Was read a first time, and passed to a second reading.

Senate bill No. 11. An act repealing section ten of an act entitled "an act to establish Courts of Conciliation, to prescribe rules and proceedings therein, and compensation of the judges thereof," approved June 11th, 1852, and declaring when the same shall take effect.

Was read a first time, and passed to a second reading.

Senate bill No. 11. An act repealing section ten of an act entitled "an act to establish Courts of Conciliation, to prescribe rules and proceedings therein, and compensation of the judges thereof," approved June 11th, 1852, and declaring when the same shall take effect.

Was read a first time, and passed to a second reading.

Senate bill No. 14. An act to amend an act entitled "an act in relation to County Treasurers," approved June 4th, 1852, and declaring an emergency.

Was read a first time, and passed to a second reading.

Mr. Brown moved a call of the House.

Which was not agreed to.

Senate Joint Resolution No. 5, was read a second time, and

On motion by Mr. Groves,

Was ordered to a third reading.

House bill No. 4 was read a third time, with the amendment reported by the committee.

The question being on the adoption of the amendment offered by the committee, viz: To strike out the second and third sections:

It was not agreed to.

Mr. Buskirk offered the following amendment:

"Except Pages who shall be appointed by the President of the Senate and Speaker of the House of Representatives."

Which was adopted.

Mr. Kilgore offered the following amendment:

To amend by striking out the word, "four," where it refers to per diem of assistant clerks and doorkeepers, and insert the word "five."

Which was not adopted.

Mr. Griffith offered the following amendment:

To amend section second in proper place by adding "as their respective houses may permit."

Which was adopted.

Mr. Higgins offered the following amendment:

Amend by striking out all in the bill that relates to compensation in the second and third sections.

Which was adopted.

Mr. Griffith moved to refer the bill, as amended, to a select committee of five.

Which was agreed to.

Mr. Buskirk submitted the claim of Messrs. Morrison and Ray for services in prosecuting a suit against J. D. Defrees and others, during the administration of Governor Wright, asking compensation therefor.

Which,

On motion by Mr. Buskirk,

Was referred to the Committee on Claims.

Mr. Newcomb submitted a claim of Messrs. Morrison and Ray, attorneys at law, for services rendered in prosecuting a suit against the Indiana Institute for the Blind.

Which,

On motion, by Mr. Newcomb,

Was referred to the Committee on Claims.



Mr. Whiteside, from the Committee on the Judiciary, made the following report :

The Judiciary Committee, to whom was referred House bill No. 46, beg leave to submit the following report :

They respectfully report said bill back to the House with the following amendments.

Amend section first so as to read as follows : In the county of Carroll, on the second Monday of February and August of each year. In the county of Cass, on the Mondays succeeding the courts in the county of Carroll. In the county of Miami, on the Mondays succeeding the courts in the county of Cass. In the county of Wabash, on the Mondays succeeding the courts in the county of Miami. In the county of Huntington, on the Mondays succeeding the courts in the county of Wabash. In the county of Grant, on the Mondays succeeding the courts in the county of Huntington.

That section second be amended so as to read as follows :

The courts in the counties of Carroll, Miami, Huntington and Grant shall sit two weeks if the business thereof require it, and the courts in the counties of Wabash and Cass shall sit three weeks if the business thereof require it, and that the bill as amended pass.

Mr. Whiteside moved to suspend the order of business and take up House bill No. 46.

Which was agreed to.

The amendment of the Committee was then concurred in.

Mr. Whiteside moved to consider the bill as engrossed, and that it be read a third time now.

Which was agreed to.

So House bill No. 46 was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Abbett, Banta, Beckett, Bird, Bonner, Boyd, Branham, Burnes, Burwell, Buskirk, Chambers, Church, Coffroth, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Harrison, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, Johnson, Kilgore, Lemon, Major, Miller of Tippecanoe, Milroy, Montgomery, McVey, New-

comb, O'Brien, Olleman, Osborn, Perigo, Prather, Puett, Reese, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Steward, Stenger, Stringer, Stuckey, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Wright, Zeigler, and Mr. Speaker—71.

Those who voted in the negative were,

Messrs. Colover, Glazebrook, Gregg, Lasselle and Lopp—5.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

The title of the bill was then read, and the same adopted.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate has passed the following concurrent resolution :

*Resolved by the Senate, (the House of Representatives concurring,)* That the Adjutant General, of the State of Indiana, be instructed to use his utmost influence to induce the proper authorities to establish a general mustering office in the city of Indianapolis, where recruits can be mustered and credited to any District, County, Township or City in the State of Indiana, or such other regulations as may produce the effect of giving Districts, other than the Sixth District, an equal right to procure volunteers from among persons who may visit the city where the military headquarters of the State are situated.

In which the concurrence of the House of Representatives is respectfully requested.

I am also directed to return to the House the following enrolled Joint Resolution thereof:

Enrolled Joint Resolution of the House No. 7. A Joint Resolution instructing our Senators and requesting our Representatives in Congress to endeavor to obtain an appropriation for the improvement of the harbor at Michigan City :

The same having been signed by the President of the Senate.

The concurrent resolution of the Senate, instructing the Door-keepers of both Houses to suspend to the dome of the Capitol the National Flag during the present session of the General Assembly, was taken from the table, read, and

On motion,  
Was concurred in.

The memorial from the Senate, in the form of a concurrent resolution, addressed to the Congress of the United States, and pertaining to the term of service of recruits who enlisted in old regiments with the expectation that their term of service would expire with that of the regiment in which they enlisted, &c., was taken from the table, read by the Clerk, and,

On motion,  
Was concurred in.

On motion by Mr. Milroy,  
The House adjourned.

WEDNESDAY MORNING, 9 o'clock, }  
January 25, 1865. }

The House met.

The Journal was read, corrected and approved.

Unanimous consent was given the following members to vote on the passage of Senate bill No. 49, all of whom were absent yesterday:

Messrs. Stivers and Lockhart voted aye, and Messrs. Spencer, Humphreys, Burton and Howard voted nay.

Message from the Senate by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof:

Senate bill No. 23. A bill to amend section 76 of an act, entitled, "An Act defining misdemeanors and prescribing punishment therefor," approved June 14, 1852, in which the concurrence of the House is respectfully requested.

#### PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Prather,

A petition from E. F. Pebody and fifty-six others, asking the General Assembly to legalize the action of the County Commissioners in

borrowing money, issuing bonds to pay bounties to volunteers and to aid soldiers' families.

Which,

On motion, was referred to the Committee on the Judiciary.

Mr. Henricks, having given notice yesterday, that he would, at the proper time, move to amend rules 58 and 59 so as to refer bills on first reading,

The same was taken from the table and,

On motion,

Was not agreed to.

Mr. Meredith introduced

House bill No. 82. A bill concerning the creation of corporations for the purpose of maintaining high schools within the State, and giving the requisite powers to such corporations.

Which was read a first time, and passed to a second reading.

Mr. Hoover introduced

House bill No. 83. A bill to amend the thirty-third section of an act, entitled, "An Act to repeal all general laws now in force, for the incorporation of cities, and to provide for the incorporation of cities."

Which was read a first time, and passed to a second reading.

Mr. Rhoads introduced

House bill No 84. A bill to legalize the action of the Board of County Commissioners of Vermillion county, and of the District and State Boards of Equilization, in adopting the appraisement of real estate of 1859, as the basis for the assessment of taxes for the year 1864, and each year thereafter till a new appraisement shall be made.

Which was read a first time, and passed to a second reading.

Mr. Collins introduced

House bill No. 85. A bill to amend the seventeenth section of an act containing several provisions regarding "landlords, tenants, lessors and lessees," approved May 20, 1852.

Which was read a first a time, and passed to a second reading.

Mr. Griffith introduced

Joint Resolution No. 12. A Joint Resolution on behalf of the Grand Rapids and Indiana Railroad Company, asking that an exten-

sion of time be granted by the Congress of the United States to enable them to complete the construction of their road.

Which was read a first time.

Mr. Griffith moved that it be deemed expedient to suspend the constitutional rule requiring the reading of bills on three several days, and that Joint Resolution No. 12 be read a second time, now.

Those who voted in the affirmative were,

Messrs. Abbett, Beckett, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Chambers, Coffroth, Collins, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison Hershey, Higgins, Hogate Hoover, Humphreys, Hunt, Johnson, Kilgore, Lasselle, Lockhart, Lopp, Major, Meredith, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Prather Puett, Reece, Rhoads, Rice, Richardson, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Spencer, Stewart, Stenger, Sullivan of Scott, Sullivan of Posey and Vanderburg, Thatcher, Trusler, Upson, Veach, Welch, White, Whitesides, Willis, Woodruff, Woods and Zeigler—78.

Those who voted in the negative were,

Messrs. Church, Colover, Dunham, Glazebrook, Howard, Lemon and Roach—7.

So it was deemed expedient to suspend the rule, and Joint Resolution No. 12 was read a second time.

Mr. Griffith moved that it be engrossed, and pass to a third reading. Which was agreed to.

Mr. Brown offered the following resolution :

*Resolved*, That the Committee on Ways and Means be instructed to allow Messrs. Milroy and Glazebrook the sum of thirty dollars, expenses incurred in conveying home the remains of the late Hon. Nelson G. Shaffer.

Which, on motion, was referred to the Committee on Ways and Means.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed to send to the House of Representatives the following enrolled act of the Senate.

Enrolled Senate Act No. 49. An act to authorize the State Treasurer to refund to Messrs. Winslow, Lanier & Company, moneys paid by them, by request of the Governor, as interest on State Bonds, with interest on amounts so paid, and declaring an emergency. Which enrolled act is respectfully presented for the signature of the Speaker of the House of Representatives.

Which was laid on the table.

Mr. Newcomb moved to suspend the order of business and take up House bill No. 70.

Which was agreed to.

House bill No. 70 was read a second time.

Mr. Buskirk offered the following amendment:

Amend the bill by providing that the bounty shall only be paid on the condition that the person enlisting is credited to the township of his actual residence, and such person shall be required to take an oath or affirmation as to his actual place of residence.

Mr. Buskirk moved to refer the bill and amendment to the Committee on the Judiciary.

Mr. Wright moved to refer to Committee on County and Township Business.

Mr. Buskirk moved that when the House adjourn it be till 2 o'clock, P. M.

Which was agreed to.

On motion by Mr. Groves,  
The House adjourned.

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2 O'CLOCK, P. M.

The House met.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Abbett, Banta, Beckett, Boyd, Branham, Burnes, Burwell,

Buskirk, Chambers, Church, Coffroth, Collins, Colover, Cox, Croan, Crook, Emerson, Foulke, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hoover, Humphreys, Hunt, Johnson, Kilgore, Lemon, Lockhart, Major, Milroy, Montgomery, MeVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Prather, Puett, Reese, Rhoads, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Steward, Stenger, Stringer, Sullivan of Scott, Sullivan of Posey and Vanderburgh, Thatcher, Trusler, Upson, Veach, Welch, White, Willis, Woods, Whright, Zeigler and Mr. Speaker—77.

The House resumed the consideration of House bill No. 70.

Mr. Branham moved to commit the bill and pending amendments to a Committee of the Whole House.

Which was agreed to.

Mr. Branham then moved that the House resolve itself into a Committee of the Whole, for the consideration of House bill No. 70, and amendments.

Which was agreed to.

Mr. Henricks was then called to the chair.

After remaining in session for some time, the Committee rose and made the following report through the Chairman.

MR. SPEAKER:

The Committee of the Whole House, have, according to order, had under consideration House bill No. 70, and have made some progress therein, and direct me to ask leave of the House to sit again.

Which was concurred in.

Message from the Senate by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to report to the House of Representatives, that the Senate has adopted the following concurrent resolution, to-wit:

*Resolved by the Senate, (the House of Representatives concurring,) That each House of the General Assembly proceed, by a separate and concurrent vote, on to-morrow, at 2½ o'clock, P. M., to elect the following officers, to-wit:*

One President of the Benevolent Institutions; two Trustees for

the Hospital for the Insane; two Trustees for the Blind Asylum; two Trustees for the Deaf and Dumb Asylum; three Commissioners for the Sinking Fund, and two Directors of the State Bank.

In which the concurrence of the House is respectfully requested.

Mr. Branham moved to take up the message from the Senate.  
Which was agreed to.

Mr. Branham moved to concur in the message from the Senate.

Mr. Newcomb moved to strike out that part relating to the three Sinking Fund Commissioners.  
Which was agreed to.

The Senate message, as amended, was then concurred in.

The Speaker laid before the House the following communication from the Auditor of State:

STATE OF INDIANA, OFFICE OF AUDITOR OF STATE, }  
Indianapolis, Ind., Jan. 25, 1865. }

HON. JOHN U. PETTIT,  
*Speaker of the House:*

I herewith send you an additional report of the condition of the State Debt Sinking Fund at this time, which you will please lay before the honorable body over which you preside.

Very respectfully, your obedient servant.

J. RISTINE.

Which,

On motion,

Was referred to the Committee on Sinking Fund.

Message from the Senate, by Mr. Whittlesey, their Secretary:

MR. SPEAKER:

I am directed to inform the House of Representatives that the Senate has passed the following engrossed bill of the House without amendment:

Engrossed House bill No. 46. A bill to fix the time of holding the Circuit Courts in the Eleventh Judicial Circuit, and to regulate the returns of process in said Circuit.



Mr. McVey offered the following resolution :

*Resolved*, That Rev. I. Crozier, who is said to be a profound Biblical scholar, be invited to lecture on the 13th chapter of Paul's Epistle to the Romans, in this House on next Sabbath, Jan. 29th, 10½ o'clock A. M.

Which was not adopted.

On motion by Mr. Montgomery,

The House adjourned.

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THURSDAY MORNING, 9 o'clock, }  
January 26, 1865. }

The House met.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Abbett, Banta, Beckett, Boyd, Branham, Burnes, Chambers, Church, Coffroth, Collins, Colover, Cox, Croan, Crook Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, Johnson, Kilgore, Lockhart, Major Meredith, Montgomery, Newcomb, Olleman, Osborn, Perigo, Prather, Puett, Reese, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Steward, Stenger, Stivers, Stringer, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—72.

The Journal was then read and approved.

The Speaker reported to the House that he had signed Senate bill No. 49.

H. J.—12.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Shoaff of Allen,

A petition from sundry citizens of Allen county, asking the General Assembly to consider the subject of establishing German common schools, throughout the State of Indiana.

Which,

On motion,

Was referred to the Committee on Education.

## REPORTS FROM STANDING COMMITTEES.

Mr. Miller, from the Committee on the Organization of Courts of Justice, made the following report:

MR. SPEAKER:

The Committee on the Organization of Courts have directed me to make the following report on Senate bill No. 4:

Strike out of the title of the bill the words "Jennings county." Strike out all after the enacting clause and insert the following: "and recommend the passage of the bill as amended."

Which,

On motion,

Was laid on the table.

Mr. Crook submitted the claim of J. H. Ross for four hundred and twenty dollars, for coal delivered in December, 1862, for the use of the Legislature.

Which,

On motion,

Was referred to the Committee on Claims.

Mr. Abbett submitted the following claim of John H. Frazier:

STATE OF INDIANA,]

[To JOHN H. FRAZIER, DR.

For repairing 23 drawers and putting locks on the same,	
during the session of 1863, at seventy-five cents per	
drawer .....	\$17 25

Which,

On motion,

Was referred to the Committee on Claims.

Mr. Boyd submitted the claim of Messrs. R. L. & A. W. McOuatt, for one hundred and eighty-seven dollars and seventy-five cents, (\$187.75,) for stoves, pipes, zinc, &c., furnished the Legislative Chambers in 1862.

Which,

On motion,

Was referred to the Committee on Claims.

#### HOUSE BILLS ON FIRST READING.

Mr. Woods introduced

House bill No. 86. A bill authorizing the digging of a ditch or canal, from the Little Calumet river to the Grand Calumet river, in Lake county.

Which was read a first time, and passed to a second reading.

Mr. Humphreys introduced

House bill No. 87. A bill to amend section first of an act entitled "an act to revise, simplify, abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18th, 1852, approved February 2d, 1855.

Which was read a first time, and passed to a second reading.

Mr. Prather offered the following resolution:

WHEREAS, An additional expense is incurred by the people of the State in consequence of our present Common Pleas Courts, of over two hundred thousand dollars per annum, which amount could be saved by abolishing the office and transferring the business to the Circuit Courts; therefore,

*Resolved*, That a committee, consisting of one from each Congressional District, be appointed to inquire into the expediency of abolishing the office of Common Pleas Judge, transferring the business of the Courts of Common Pleas to the Circuit Courts, and increasing the pay of Circuit Judges, and report by bill or otherwise.

Mr. Brown moved to refer the resolution to the Committee on the Organization of Courts of Justice.

Which was lost.

Mr. Rhoads moved to refer to the Special Committee on that subject.

Which was agreed to.

Mr. Higgins gave the following notice :

MR. SPEAKER :

I give notice, that on to-morrow I will move to amend the first rule of this House by adding the following :

“ Unless by a vote of the House, the reading of the Journal be dispensed with.”

Mr. Buskirk moved to suspend the order of business and take up Senate bill No. 1.

Which was not agreed to.

Mr. Chambers, from the Committee on Engrossed Bills, made the following report :

MR. SPEAKER :

The Committee on Engrossed Bills have carefully compared Engrossed Joint Resolution No. 12 with the original, and find that the same has in all respects been accurately and correctly engrossed.

Mr. Zeigler offered the following resolution :

WHEREAS, At this time of high prices many of our county officers complain that their salaries are low ; therefore,

*Resolved*, That the Committee on Fees and Salaries be requested to take the subject into consideration, and report by bill to raise the salaries of county officers in such cases, and to such a degree, as justice may demand.

Which,

On motion,

Was referred to the Committee on Fees and Salaries.

Mr. Hershey introduced

House bill No. 88. A bill authorizing certain corporations therein named to change corporate names.

Which was read a first time, and passed to a second reading.

Mr. Goodman offered the following resolution :

*Resolved*, That the Committee on Roads and Highways be instructed to inquire into the expediency of reporting a bill authorizing County Boards to make appropriations to open, build, and repair roads and highways.

Which,

On motion,

Was referred to the Committee on Roads.

Mr. Groves introduced

House bill No. 89. A bill to allow cities and towns to permit the location of railroads on the streets and alleys for the purpose of conveying coal into and through said cities and towns.

Which was read a first time, and passed to a second reading.

Mr. Coffroth offered the following resolution:

*Resolved*, That a select committee, consisting of one from each Congressional District, be appointed, whose duty it shall be to inquire into the expediency of abolishing the Courts of Common Pleas, and transferring the business to the Circuit Courts, and to provide for a system of Probate, and to report by bill or otherwise.

Mr. Whiteside moved to amend by referring to committee of one from each Common Pleas Judicial District.

Which was not agreed to.

The resolution was then adopted.

Mr. Rhoads introduced

House bill No. 90. A bill to amend the third section of an act entitled "an act regulating docket fees of District Attorneys in the Courts of Common Pleas, and before Justices of the Peace, and regulating Prosecuting District Attorneys' fees for prosecution on forfeited recognizance," approved June 4th, 1861.

Which was read a first time, and passed to a second reading.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof:

Engrossed Senate bill No. 2. A bill regulating the practice in Circuit and Common Pleas Courts of this State, on appeals from judgments of Justices of the Peace.

Engrossed Senate bill No. 10. A bill to amend section 322 of an act entitled "an act to revise, simplify and abridge the rules, practice, pleading and forms in civil cases in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18th, 1852.

Engrossed Senate bill No. 12. An act authorizing creditors in certain cases to bring action on their claims before they are due, and have attachment against the property of the debtor; to garnishee property, moneys, credits and effects, and prescribing the manner of proceeding therein.

Engrossed Senate bill No. 16. A bill to amend section 349 of an act entitled "an act to revise, simplify and abridge the rules, practice, pleading and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18th, 1852.

Engrossed Senate bill No. 25. An act defining certain misdemeanors, and prescribing punishment thereof.

Engrossed Senate bill No. 39. An act to amend an act entitled "an act to amend section 19 of an act to fix the time of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all processes from the present Common Pleas Courts returnable to such terms," approved February 15th, 1861.

Engrossed Senate bill No. 42. A bill to amend section 9 of an act entitled "an act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5th, 1859.

Engrossed Senate bill No. 55. An act to fix the times of holding the Courts of Common Pleas in the Fifth Judicial District, repealing all other laws on the same subject, and declaring when this act shall take effect.

I am also directed to inform the House, of the passage by the Senate of the following :

Engrossed Senate Joint Resolution No. 2. A Joint Resolution proposing an amendment to article eight of the Constitution, so as to enable cities and towns to levy taxes for the support of Common Schools.

Engrossed Senate Joint Resolution No. 3. A Joint Resolution proposing an amendment to section 23, article 4, of the Constitution, so as to provide for laws enabling cities and towns to raise money for the support of Common Schools.

In all of which the concurrence of the House of Representatives is respectfully requested.

Mr. Wright offered the following resolution :

*Resolved*, That the Committee on the Southern State Prison be instructed to inquire into the propriety of converting the Northern Prison into a House of Refuge and Correction, and report by bill or otherwise.

Mr. Wright moved to refer the resolution to the Committee on State Prison South.

Which was not agreed to.

Mr. Higgins moved to refer it to a Select Committee of five.

Which was agreed to.

Mr. Boyd offered the following resolution :

*Resolved*, That each of the Committees of this House be requested to keep a record of their proceedings, and that the said records be filed in the State Library, to be kept by the State Librarian, as a part of the proceedings of this House.

Which,

On motion,

Was adopted.

Mr. Brown offered the following resolution :

*Resolved*, That His Excellency, the Governor, be requested to lay before this House the Annual Reports of the Auditor and Treasurer of State, together with all other reports required to be made to him, which by law he is required to present to this body.

Which,

On motion,

Was adopted.

Mr. Milroy offered the following resolution :

*Resolved*, That the Committee on the Judiciary be instructed to report a bill amendatory of the law in relation to landlord and tenant, so as to require six months' written notice to dispossess the wife or family of any soldier, either enlisted or drafted, in the army of the United States.

Which,

On motion,

Was adopted.

Mr. Miller of Tippecanoe introduced

House bill No. 91. A bill to authorize the discharge of bonds of executors and guardians, upon application to sell real estate. Which was read a first time, and passed to a second reading.

Mr. Stuckey introduced

House bill No. 92. A bill fixing the time of filing the credential papers in actions before the County Commissioners, and the time of filing claims against the county.

Which was read a first time, and passed to a second reading.

Mr. Brown moved to reconsider the motion by which Mr. Boyd's resolution was adopted.

Which was agreed to.

Mr. Chambers offered the following amendment to the resolution :

Amend by striking out "Committees of the House," and insert instead thereof, "Committees on Ways and Means, Claims and Public Expenditures."

Mr. Shoaff of Jay moved to amend the amendment of Mr. Chambers as follows : "That such Committees make a report and file with the Librarian."

Which was not agreed to.

The resolution as amended was then adopted.

Mr. Newcomb moved to suspend the order of business, so as to enable the House to go into a Committee of the Whole, for the consideration of House bill No. 70.

Which was agreed to.

On motion by Mr. Dunham,

The House resolved itself into a Committee of the Whole, with Mr. Henricks in the chair.

After remaining in session for some time, the Committee rose, and made the following report, through its Chairman :

**MR. SPEAKER :**

The Committee of the Whole House have, according to order, had under consideration House bill No. 70, and have made some progress therein, and direct me to report the same back to the House, and



ask that they be discharged from any further consideration of the bill.

Which was concurred in.

Mr. Newcomb moved that the bill and pending amendments be referred to a Select Committee of seven.

Which was agreed to.

Mr. Newcomb moved to suspend the regular order of business and take up House bills on second reading.

Which was agreed to, two-thirds voting in the affirmative.

House bill No. 18 was read a second time, and,

On motion, by Mr. Whiteside,  
Was referred to the Committee on the Judiciary.

House bill No. 19 was read a second time, and,

On motion, by Mr. Newcomb,  
Was referred to the Committee on the Judiciary.

House bill No. 20 was read a second time, and,

On motion, by Mr. Shoaff of Jay,  
Was referred to the Committee on Agriculture.

House bill No. 21 was read a second time, and,

On motion, by Mr. Harrison,  
Was referred to the Committee on the Judiciary.

House bill No. 22 was read a second time, and,

On motion,  
Was referred to the Committee on Education.

Mr. Newcomb moved that it be deemed expedient to suspend the Constitutional rule, requiring the reading of bills on three several days.

Those who voted in the affirmative were,

Messrs. Abbett, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Collins, Colover, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, Johnson, Lasselle, Lemon, Lockhart, Meredith, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perego, Prather, Reece, Rhoads, Rice, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Steward, Stenger, Stivers, Stringer, Stuckey, Sullivan of Posey and Vanderburg, Upson, Welch, White, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—79.

Those who voted in the negative were,

Messrs. Beckett, Dunham, Glazebrook, Lopp, Milroy, Puett, Roach, Spencer, Sullivan of Scott and Thatcher—10.

So it was deemed expedient to suspend the Constitutional rule.

Mr. Newcomb moved that House bill No. 23 be read a second time by its title.

Which was agreed to.

So House bill No. 23 was read a second time by its title, and,

On motion, by Mr. Buskirk,

Was referred to the Committee on Swamp Lands.

Mr. Newcomb moved that it be deemed expedient to suspend the Constitutional rule, requiring the reading of bills on three several days, and that House bill No. 24 be read a second time by its title.

Those who voted in the affirmative were,

Messrs. Abbett, Boyd, Branham, Brown, Burwell, Buskirk, Chambers, Coffroth, Collins, Cox, Croan, Crook, Emerson, Ferris, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, Johnson, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Osborn, Prather, Reese, Rhoads, Rice, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Steward, Stenger, Stivers, Stringer, Stuckey, Sullivan of Posey and Vanderburg, Upson, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—66.

Those who voted in the negative were,

Messrs. Bird, Burnes, Burton, Church, Colover, Glazebrook, Howard, Hargrove, Lemon, Lopp, Milroy, Perigo, Roach, Spencer, Sullivan of Scott and Thatcher—16.

So it was deemed expedient to suspend the Constitutional rule, and House bill No. 24, was read a second time by its title.

Mr. Miller of Tippecanoe, offered the following amendment:

That the donation of lands and other benefits, provided in and by an Act of Congress entitled "An Act donating public lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and the Mechanic Arts," approved July 5, 1862,

be and the same are hereby accepted by the State of Indiana upon the terms and conditions in said Act contained.

#### COLLEGE CREATED—ITS CHARACTER AND NAME.

SEC. 2. There is hereby created and established a College in conformity with said Act of Congress; the leading object of which shall be to teach such branches of learning as are related to Agriculture and the Mechanic Arts, including Scientific and Classical studies and Military Tactics; to be known by the name and style of "The Agricultural College of Indiana."

#### TRUSTEES—THEIR NUMBER, &c.

SEC. 3. There shall be a Board of Trustees appointed consisting of thirteen citizens of this State; one of whom shall be selected from each Congressional District and two from the State at large; who are hereby constituted a body corporate by the name of "The Trustees of the Agricultural College of Indiana;" having perpetual succession.

#### BY WHOM APPOINTED—TERM OF OFFICE—OATH.

SEC. 4. The two Trustees from the State at large shall be appointed by the General Assembly in joint convention, and the rest by the State Board of Education. They shall all hold their office for four years, except as hereinafter provided, and before acting, each shall take an oath or affirmation to support the Constitution of the United States and the Constitution of Indiana, and honestly, and diligently perform the duties of his trust.

#### ORGANIZATION OF BOARD—ITS OFFICERS, &c.

SEC. 5. It shall be the duty of said Trustees, or a majority of them at their first meeting, to organize a Board by electing one of their members as President; and the Board, of which seven members shall constitute a quorum, when so formed, shall appoint a Secretary and Treasurer, not members of the Board, who shall severally, before acting in their respective offices, take an oath or affirmation faithfully and impartially to perform the duties appertaining thereto; and the Treasurer shall give bond, with                      or more securities, to be approved by said Trustees, in the sum of \$                      payable to the State of Indiana, and conditioned for the faithful discharge of the duties of his office, and accounting for and paying over, upon proper vouchers, to the person or persons lawfully entitled thereto, all moneys that may come into his hands as such Treasurer; which bond shall be deposited in the office of the Secretary of State.

#### POWERS OF BOARD OF TRUSTEES—COMPENSATION.

SEC. 6. The Board of Trustees shall have power to enact all necessary by-laws, rules and regulations for the good order and

government of said corporation not inconsistent with the Constitution and Laws of the United States, or of this State; to sit upon their own adjournments not less than once in each quarter; to take, hold, enjoy and transfer all species of property; to have and use a common seal; to receive any grant, gift, donation, bequest or conveyance, and hold, enjoy and dispose of the same for the use of said corporation; to elect a President of said College, and such professors, tutors, instructors and other officers of the same, as they may judge necessary, and to determine the duties, salaries, emoluments, responsibilities and tenures of their several offices; to designate the course of instruction in said College; to remove any one of their own body for misconduct, breach of by-laws, or immorality; to remove at any time they may deem it for the good of the institution, any of the officers of said College and appoint others in their stead; to prescribe the rules of admission and rates of tuition; to grant and confer degrees and diplomas; and to do and perform all other acts necessary to promote the interest and welfare of said College. Each Trustee shall be entitled to \$     a day while in the actual performance of his duty.

#### MILITARY STUDIES.

SEC. 7. Said Board of Trustees shall provide suitable grounds for exercises in the military art; and shall procure such arms, accoutrements, equipments, books and instruments, as may be deemed necessary for imparting to students in said College a thorough knowledge of military tactics and engineering.

#### AGRICULTURAL STUDIES.

SEC. 8. Said Board of Trustees shall provide such suitable farm or farms as may be necessary for making experiments in Agriculture; and shall procure such implements, books, apparatus and materials, as may be necessary for the instruction of the students in said College in such branches of learning as are related to Agriculture and the Mechanic Arts.

#### FREE SCHOLARSHIPS: APPOINTED BY SENATORS AND REPRESENTATIVES.

SEC. 9. Free Scholarships shall be allowed to each Representative and Senatorial District of the State equal to its representation in the General Assembly, preference being given to the children of soldiers who have served their country in the present war; each Senator and Representative having the right of designating a student. Where the right of appointing is divided between two or more, it shall be determined by lot.

#### GOVERNOR MAY APPOINT TO FREE SCHOLARSHIPS, &C.

SEC. 10. The Governor shall *ex-officio* have the right of appointing a student to a free Scholarship from each Congressional District of the State. And the Trustees may, in their discretion, and on such

rules and regulations as they may prescribe, admit to the privileges of said College such other number of students as the interests of the Institution will permit.

#### BOARD OF VISITORS.

SEC. 11. The Governor, the President of the Indiana State Board of Agriculture, the Superintendent of Public Instruction, the Chief Justice of the Supreme Court, the President of the State University at Bloomington, and the Adjutant-General shall, *ex-officio*, be, and are hereby appointed a Board of Visitors, three of whom shall constitute a quorum, whose duty it shall be to visit annually said College; inspect its property, real and personal; examine the course of instruction adopted and practiced by the faculty; review the proceedings of the Board of Trustees, and their by-laws, and recommend to the Board such alterations and amendments as they may deem necessary for the good of the Institution; and investigate the financial concerns of the corporation, examining, if necessary, the books of the Treasurer, or any other officer connected therewith. They shall make a report of their examination, inspection, and inquiries, to the General Assembly at each regular session thereof.

#### TRUSTEES' ANNUAL REPORT, UNDER ACT OF CONGRESS.

SEC. 12. The Board of Trustees shall provide for an Annual Report regarding the progress of the College; recording any improvements or experiments made, with their cost and results; and such other matters, including State industrial and economical statistics, as may be supposed useful; one copy of which shall be mailed to each College instituted elsewhere in the United States, under said act of Congress, and one to the Secretary of the Interior of the United States.

#### ELIGIBILITY—RELIGIOUS TESTS.

SEC. 13. No acting Trustee shall be eligible to any office connected with the College; nor shall any religious test or qualification be required from any Trustee, officer or student; nor shall any officer, professor, or instructor, teach, inculcate, or encourage any sectarian principles or tenets to the students thereof.

#### UNITED STATES SCRIP.

SEC. 14. The Governor of the State shall accept and receive from the United States the Scrip mentioned in said act of Congress, and sell the same according to the terms of said act; paying the gross proceeds to the Treasurer of said Board of Trustees.

#### INVESTMENT OF SCRIP AND ENDOWMENT FUND.

SEC. 15. The gross proceeds arising from the sale of said Scrip

shall remain forever undiminished, as a permanent fund, and shall be invested in stocks of the United States, or of the State of Indiana, yielding not less than five per centum upon the par value of said stocks; and the interest of said fund shall forever be inviolably appropriated to the endowment, support and maintenance of said College; and if any portion of said fund, or the interest thereon arising, shall by any act or contingency be diminished or lost, it shall be replaced by the State of Indiana; *provided, however*, that a sum not exceeding ten per centum of the moneys realized from the sale of said Scrip may be expended under future legislation for the purchase of lands for sites, or experimental farms, connected with, and for the use of said College.

#### FIRST BOARD OF TRUSTEES—VACANCIES, &c.

SEC. 16. The State Board of Education shall appoint eleven Trustees, as provided in the 3d and 4th sections of this Act, on or before the                      day of                      next; appointing five to serve for two years, and six for four years; and

are hereby appointed Trustees for the State at large—the said

to serve for two years, and the said

for four years. The successors of each of the said Trustees shall perpetually thereafter, hold their office for a term of four years. Vacancies pending a term shall be filled for the unexpired part of the term; but in case of a Trustee for the State at large, his successor shall be appointed by the Governor, to hold until the Legislature shall appoint.

#### LOCATION OF COLLEGE.

SEC. 17. The College herein provided shall be, and hereby is, perpetually located at                      County, upon the lands donated and assured to the State by                      ; which said lands are hereby accepted as and for a perpetual site for said College.

#### BOARD WHERE TO MEET.

SEC. 18. The Board of Trustees firstly appointed, under Section 16 of this Act, shall hold their first meeting in the College building, at                      on the                      day of                      next, and then and there perfect their organization, as in this act provided; and all subsequent meetings of the Board shall be held at the same place.

#### STATE PROPRIETORSHIP DECLARED.

SEC. 19. All property, of whatever kind, held by or appertaining

to said College, and from whatever source derived, shall be held by the said Trustees and their successors forever, in trust for the State of Indiana, for the uses and purposes mentioned and designated in said act of Congress.

#### EMERGENCY.

SEC. 20. An emergency existing, this act shall be in force from and after its passage.

Mr. Bsukirk moved that House bill No. 24, and amendment, be referred to the Committee on Education.

Which was agreed to.

House bill No. 59 was read a second time.

Mr. Steward offered the following amendment:

Amend by inserting after "Wabash and Erie," "White Water Canal."

Mr. Newcomb moved to refer House bill No. 59, and amendment, to the Committee on Railroads.

Which was agreed to.

By unanimous consent,

Senate bill No. 6 was taken up, the amendments of the Committee were read, and, on motion, concurred in, and, by unanimous consent of the House, the bill was considered engrossed.

The question being shall the bill be read a third time, now?

It was so agreed.

And Senate bill No. 6 was read a third time.

The question being shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Beckett, Bird, Bonner, Boyd, Branham, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Collins, Colover, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, Johnson, Kilgore, Lasselle, Lemon, Lockhart, Lopp, Major, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborne, Perigo, Prather, Puett, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Steward, Stivers, Stringer, Stuckey, Sullivan of Scott, Sullivan of Posey and

Vanderburg, Thatcher, Trusler, Upson, Veach, Welch, White, White-side, Willis, Woodruff, Wright, Zeigler and Mr. Speaker—85.

None voting in the negative.

The question being shall the title, as read, stand as the title of the bill?

It was agreed to.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

~~Mr.~~ Mr. Collins moved that when the House adjourn, it adjourn till 2 o'clock, P. M.

Which was agreed to.

By unanimous consent of the House,

House bill No. 45 was taken up, read a second time, and, on motion by Mr. Beckett, was referred to the Committee on the Judiciary.

By unanimous consent of the House,

House bill No. 8 was taken up and read a third time.

Mr. Collins moved to amend as follows:

Strike out the words "school fund," and insert "revenue."  
Which was agreed to.

Mr. Rhoads offered the following amendment:

1st. Strike out the name "female dog" and insert "bitch."

2d. Strike out the name "male dog" and insert "dog."

3d. The sum of two dollars for one dog, and an additional sum of two dollars for each dog over the number of one, and the sum of five dollars for one bitch, and an additional sum of two dollars for every bitch over the number of one.

Mr. Newcomb moved to refer the bill and amendments to a Select Committee of five.

Which was agreed to.

Mr. Burwell offered the following resolution:

WHEREAS, The immortal J. N. Free, the world-renowned philosopher, orator and satirist, whose arrival has already been announced by the press, has signified his willingness to elucidate his great prin-



ciples of truth and explain his theory of the war, on Friday evening, Feb. 3d ; therefore,

*Be it Resolved*, That the Hall of the House of Representatives be tendered to the distinguished gentleman on that occasion.

Pending which,

The House adjourned.

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THURSDAY, 2 o'CLOCK, P. M.  
January 25th, 1865.

The House met.

Pending the adjournment this morning, was the consideration of Mr. Burwell's resolution.

The same was,  
On motion,  
Laid on the table.

The Speaker announced the following Special Committees :

Special Committee on the organization of Courts of Common Pleas.

Messrs. Coffroth.....	11th	District.
Emerson.....	1st	"
Groves.....	2nd	"
Prather.....	3rd	"
Ferris.....	4th	"
Kilgore.....	5th	"
Newcomb.....	6th	"
Humphreys.....	7th	"
Roach.....	8th	"
Lasselle.....	9th	"
Shuey.....	10th	"

Special Committee on House bill No. 70 and pending amendments.

Messrs. Newcomb, Dunham, Branham, Brown, Church, Lasselle, Miller of Tippecanoe.

H. J.—13.

Mr. Groves moved to suspend the regular order of business and take up House bill No. 84.

Which was agreed to.

House bill No. 84 was read a second time.

Mr. Groves then moved that it be considered as engrossed and ordered to a third reading.

Which was agreed to.

Mr. Newcomb offered the following resolution :

*Resolved, That the House will (the Senate concurring) proceed at the hour of four o'clock P. M. this day to elect three Commissioners of the Sinking Fund by a joint vote of the two Houses.*

Which,

On motion,

Was adopted.

House bill No. 25, was read a second time.

Mr. Coffroth moved to lay the bill on the table.

On which, Messrs. Coffroth and Sullivan, of Scott, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Beckett, Bird, Boyd, Brown, Burton, Burwell, Buskirk, Coffroth, Collins, Colover, Croan, Emerson, Glazebrook, Gregg, Groves, Hargrove, Harrison, Humphreys, Hunt, Lasselle, Lemon, Lopp, Milroy, O'Brien, Osborn, Patterson, Perigo, Puett, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Spencer, Stenger, Sullivan of Scott, Thatcher, Veach, White and Wright—41.

Those who voted in the negative were,

Messrs. Banta, Bonner, Burns, Chambers, Church, Cook, Cox, Crook, Ferris, Foulke, Goodman, Gregory of Warren, Gregory of Montgomery, Griffith, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lockhart, Major, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Prather, Reese, Rhoads, Riford, Sabin, Shuey, Sim, Steward, Stivers, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, Whiteside, Willis, Woods, Zeigler and Mr. Speaker—45.

So the motion to lay on the table, did not prevail.

Mr. Buskirk moved to postpone the bill indefinitely.

On which, Messrs. Buskirk and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Beckett, Bird, Brown, Burwell, Burton, Buskirk, Coffroth, Colover, Collins, Croan, Emerson, Glazebrook, Gregg, Groves, Hargrove, Harrison, Humphreys, Hunt, Lasselle, Lemon, Milroy, O'Brien, Osborn, Patterson, Perigo, Puett, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Spencer, Stenger, Sullivan of Scott, Thatcher, Veach, White and Wright—35.

Those who voted in the negative were,

Messrs. Banta, Bonner, Boyd, Branham, Burnes, Chambers, Cox, Church, Crook, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lockhart, Lopp, Major, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Prather, Reese, Rhoads, Riford, Sabin, Shuey, Sim, Steward, Stivers, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, Whiteside, Willis, Woods, Zeigler and Mr. Speaker—50.

So the motion to indefinitely postpone was lost.

Mr. Foulke moved to refer the bill to the Committee on the Judiciary.

Mr. Burnes, moved to refer it to the Committee on Rights and Privileges of the Inhabitants of the State.

Message from the Senate, by Mr. Whittlesey, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House, that the Senate has concurred in the amendment of the House to the resolution relative to the election of certain officers to-day at 2½ o'clock.

The hour having arrived, in accordance with the concurrent resolution of the Senate, which was concurred in by the House yesterday,

The House proceeded, by a separate and concurrent vote, to the election of the following officers, to-wit:

One President for the Benevolent Institutions ;  
 Two Commissioners for the Hospital for the Insane ;  
 Two Trustees for the Blind Asylum ;  
 Two Trustees for the Deaf and Dumb Asylum, and  
 One Director for the State Bank.

Mr. Buskirk moved to elect singly the officers in the order in which they are named in the concurrent resolution.

Which was agreed to.

The election of a President for the Benevolent Institutions being first in order,

Mr. Newcomb nominated Andrew Wallace, of the county of Marion.

Mr. Coffroth nominated Aquilla Jones, of Marion county.

*Those who voted for Andrew Wallace were,*

Messrs. Banta, Bonner, Boyd, Branham, Burnes, Church, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Prather, Reese, Rice, Riford, Sabin, Shuey, Sim, Steward, Stivers, Stringer, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—51.

*Those who voted for Mr. Jones were,*

Messrs. Abbett, Beckett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Collins, Colover, Croan, Gregg, Glazebrook, Hargrove, Harrison, Humphreys, Hunt, Lasselle, Lopp, Milroy, Osborn, Patterson, Perigo, Rhoads, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Spencer, Stenger, Sullivan of Scott, Thatcher, Veach and White—36.

Andrew Wallace, having received a majority of all the votes cast, was declared by the Speaker duly nominated, on the part of the House of Representatives, as President of the Board of Commissioners of the Benevolent Institutions.

The election of two Commissioners for the Hospital for the Insane, being next in order,

Mr. Newcomb nominated Patrick H. Jameson, of the county of Marion.

Mr. Buskirk nominated Dr. Benjamin Newland, of the county of Lawrence.

*Those who voted for Patrick H. Jameson were,*

Messrs. Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Crook, Cox, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Prather, Reese, Rice, Riford, Sabin, Shuey, Sim, Steward, Stivers, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—53.

*Those who voted for Dr. Benjamin Newland were,*

Messrs. Abbett, Beckett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Collins, Colover, Croan, Glazebrook, Gregg, Hargrove, Harrison, Humphreys, Hunt, Lasselle, Lemon, Lopp, Milroy, Osborn, Perigo, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Spencer, Stenger, Sullivan of Scott, Thatcher, Veach and White—34.

Patrick H. Jameson, having received a majority of all the votes cast, was declared by the Speaker, duly nominated, on the part of the House of Representatives, a Commissioner for the Hospital for the Insane.

Mr. Newcomb nominated John W. Moody, of the county of Clinton.

Mr. Coffroth nominated Wm. B. Lyons of the county of Huntington.

*Those who voted for John W. Moody were,*

Messrs. Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Steward, Stivers, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—53.

*Those who voted for William B. Lyons were,*

Messrs. Abbett, Beckett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Collins, Colover, Croan, Glazebrook, Gregg, Harrison, Har-

grove, Humphreys, Hunt, Lasselle, Lemon, Lopp, Milroy, Osborn, Perigo, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stenger, Sullivan of Scott, Thatcher, Veach and White—32.

John W. Moody having received a majority of all the votes cast, was declared by the Speaker, duly nominated, on the part of the House of Representatives, a Commissioner for the Hospital for the Insane.

The election of two Trustees for the Blind Asylum being next in order,

Mr. Newcomb nominated John S. Spann, of the county of Marion.

Mr. Thatcher nominated B. W. Cooper, of the county of Hancock.

*Those who voted for John S. Spann, were,*

Messrs. Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Stewart, Stivers, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—53.

*Those who voted for B. W. Cooper were,*

Messrs. Abbett, Beckett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Collins, Colover, Croan, Glazebrook, Gregg, Hargrove, Harrison, Humphreys, Hunt, Lasselle, Lemon, Lopp, Milroy, Osborn, Perigo, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stenger, Sullivan of Scott, Thatcher, Veach and White—34.

John S. Spann, having received a majority of all the votes cast, was declared by the Speaker, duly nominated, on the part of the House of Representatives, a Trustee for the Blind Asylum.

Mr. Gregory of Montgomery nominated John Baird, of the county of Montgomery.

Mr. Sullivan of Scott nominated D. McClure, of the county of Clark.

*Those who voted for John Baird were,*

Messrs. Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cox, Crook, Emmerson, Ferris, Foulke, Goodman, Gregory

of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Stewart, Stivers, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—54.

*Those who voted for David McClure were,*

Messrs. Abbett, Beckett, Bird, Brown, Burton, Buskirk, Coffroth, Collins, Croan, Glazebrook, Gregg, Hargrove, Harrison, Humphreys, Hunt, Lasselle, Lemon, Lopp, Milroy, Osborn, Perigo, Puett, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stenger, Sullivan of Scott, Thatcher, Veach and White—32.

John Baird having received a majority of all the votes cast, was declared by the Speaker duly nominated, on the part of the House of Representatives, a Trustee for the Blind Asylum.

The next in order being the election of two Trustees for the Deaf and Dumb Asylum,

Mr. Meredith nominated John M. Kitchen, of the county of Marion.

Mr. Milroy nominated John M. Richardson, of the county of Carroll.

*Those who voted for John M. Kitchen were,*

Messrs. Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Stewart, Stivers, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—55.

*Those who voted for John M. Richardson were,*

Messrs. Beckett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Collins, Colover, Croan, Glazebrook, Gregg, Hargrove, Harrison, Humphreys, Hunt, Lasselle, Lemon, Lopp, Milroy, Osborn, Perigo, Puett, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stenger, Sullivan of Scott, Thatcher, Veach and White—32.

John M. Kitchen having received a majority of all the votes cast, was declared by the Speaker duly nominated, on the part of the House of Representatives, a Trustee for the Deaf and Dumb Asylum.

Mr. Prather nominated James C. Burt, of the county of Jennings.

Mr. Harrison nominated J. S. Skinner, of the county of Knox.

*Those who voted for James C. Burt were,*

Messrs. Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lockhart, Major, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olléman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Stewart, Stivers, Stenger, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—54.

*Those who voted for J. S. Skinner were,*

Messrs. Abbett, Beckett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Collins, Colover, Croan, Glazebrook, Gregg, Hargrove, Harrison, Howard, Humphreys, Hunt, Lasselle, Lemon, Lopp, Milroy, O'Brien, Osborn, Patterson, Perigo, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stenger, Stuckey, Sullivan of Scott, Thatcher and Veach—35.

James C. Burt having received a majority of all the votes cast, was declared by the Speaker duly nominated, on the part of the House of Representatives, a Trustee for the Deaf and Dumb Asylum.

The next in order being the election of a Director of the Bank of the State of Indiana,

Mr. Newcomb nominated Erastus W. H. Ellis, of the county of Elkhart.

Mr. Coffroth nominated Amzi L. Wheeler, of the county of Marshall.

*Those who voted for Erastus W. H. Ellis were,*

Messrs. Banta, Bonner, Boyd, Branham, Burns, Chambers, Church, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lockhart,



Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Steward, Stivers, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—55.

*Those who voted for Amzi L. Wheeler were,*

Messrs. Abbott, Beckett, Bird, Brown, Burwell, Buskirk, Coffroth, Collins, Colover, Croan, Glazebrook, Gregg, Hargrove, Harrison, Howard, Humphreys, Hunt, Lasselle, Lemon, Lopp, Milroy, O'Brien, Osborne, Patterson, Shoaff of Allen, Shoaff of Jay, Stuckey, Sullivan of Scott, Thatcher, Veach and White—35.

Erastus W. H. Ellis, having received a majority of all the votes cast, was declared by the Speaker, duly nominated, on the part of the House of Representatives, a Director for the State Bank.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate, on its part, has elected

Andrew Wallace, of Marion county, President of the Benevolent Institutions.

Patrick H. Jameson, of Marion county, one of the Commissioners for the Insane Hospital.

John W. Moody, of Decatur county, one of the Commissioners for the Insane Hospital.

James C. Burt, of Jennings county, one of the Directors for the Deaf and Dumb Asylum.

John L. Kitchen, of Marion county, one of the Directors for the Deaf and Dumb Asylum.

John Baird, of Montgomery county, one of the Trustees for the Blind Asylum.

John S. Spann, of Marion county, one of the Trustees for the Asylum for the Blind.

Charles E. Walker, of Jefferson county, one of the Directors for the State Bank.

In which the concurrence of the House is respectfully requested.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has concurred in the following resolution of the House, to-wit.

*Resolved*, That this House will (with the Senate concurring) proceed, at the hour of 4 o'clock P. M., this day, to elect three Commissioners of the Sinking Fund, by a joint vote of the two Houses.

Mr. Newcomb moved that this House concur in the election, by the Senate, of Charles E. Walker as a Director of the Bank of the State of Indiana.

Which,

On motion,

Was agreed to.

Mr. Brown offered the following resolution :

*Resolved*, That this House is now ready to go into Joint Convention, as provided by the concurrent resolution of the two Houses of this General Assembly, heretofore adopted, and that the Senate be invited to repair immediately to the Hall of this House for that purpose, and they are accordingly invited to repair immediately to the Hall of the House.

Which was adopted.

The Senate then, in pursuance of the invitation of the House, communicated through the President, came into the Hall of the House, preceded by the President of the Senate,

When the Joint Session was called to order by the President of the Senate.

The President then declared,

GENTLEMEN :

We have assembled in Joint Convention, pursuant to a concurrent resolution of both Houses thereof, for the purpose of electing three members of the Board of Sinking Fund Commissioners.

The President of the Joint Convention announced that the Convention would now proceed to chose, by a *viva voce* vote, a member of the Board of Sinking Fund Commissioners, to succeed Nathaniel Kemp.

Mr. Newcomb nominated John S. C. Harrison, of the county of Marion.

Mr. Bird nominated Charles E. Sturges, of the county of Allen.

*Those who voted for J. S. C. Harrison were,*

Messrs. Beeson, Bennett, Bonham, Brown of Hamilton, Cason, Chapman, Cullen, Culver, Davis, Dunning, Dykes, Hyatt, Milligan, Nyles, Noyes, Oyler, Peden, Richmond, Terry, Thompson, Van Buskirk, Ward, Woods and Wright, of the Senate,

Messrs. Banta, Bonner, Boyd, Bonham, Burnes, Chambers, Church, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Miller of Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Steward, Stivers, Stenger, Sullivan of Posey and Vandeburg, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker, of the House of Representatives—78.

*Those who voted for Charles E. Sturges were,*

Messrs. Barker, Bowman, Bradley, Carson, Cobb, Corbin, Douglass, Finch, Gifford, Hannah, Jenkins, Mason, Moore, McClurg, Staggs, Vawter and Williams, of the Senate.

Messrs. Abbott, Beckett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Collins, Colover, Croan, Glazebrook, Gregg, Hargrove, Harrison, Howard, Humphreys, Hunt, Lasselle, Lemon, Lopp, Milroy, O'Brien, Osborn, Patterson, Perigo, Puett, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stinger, Stuckey, Sullivan of Scott, Thacher, Veach and White, of the House of Representatives—55.

John S. C. Harrison having received a majority of all the votes cast by the General Assembly, was declared by the President of the Joint Convention duly elected as a member of the Board of Sinking Fund Commissioners, to succeed Nathaniel Kemp for the constitutional term prescribed by law.

Mr. Kilgore nominated John W. Burson, of the county of Delaware, to succeed Parmenter M. Parks.

Mr. Buskirk nominated Parmenter M. Parks, as his own successor.

*Those who voted for J. W. Burson were,*

Messrs. Beeson, Bennett, Bonham, Brown of Hamilton, Cason, Chapman, Cullen, Culver, Davis, Dunning, Dykes, Hyatt, Milligan, Niles, Noyes, Oyler, Peden, Richmond, Terry, Thompson, VanBuskirk, Ward, Woods and Wright, of the Senate, and

Messrs. Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey,

Higgins, Hoover, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Steward, Stivers, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker, of the House of Representatives—77.

*Those who voted for P. M. Parks were,*

Messrs. Barker, Bowman, Bradley, Carson, Cobb, Douglass, Downey, Finch, Gifford, Hanna, Jenkins, Mason, Moore, McClurg, Staggs, Vawter and Williams, of the Senate, and

Messrs. Abbett, Beckett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Collins, Colover, Croan, Glazebrook, Gregg, Hargrove, Harrison, Howard, Humphreys, Hunt, Lasselle, Lemon, Milroy, O'Brien, Osborn, Perigo, Puett, Richards, Richardson, Shoaff of Allen, Shoaff of Jay, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach and White, of the House of Representatives—53.

John M. Burson having received a majority of all the votes cast by the General Assembly, was declared by the President of the Joint Convention, duly elected as a member of the Board of Sinking Fund Commissioners, to succeed Parmenter M. Parks, for the constitutional term prescribed by law.

Mr Newcomb nominated William R. McKean, of Vigo county, to fill the vacancy occasioned by the death of S. P. Moody.

Mr. Brown nominated Henry G. Smith, of the county of Jackson.

*Those who voted for William R. McKean were,*

Messrs. Beeson, Bennett, Bonham, Brown of Hamilton, Cason, Chapman, Cullen, Davis, Dunning, Dykes, Hyatt, Milligan, Niles, Noyes, Oyler, Peden, Richmond, Staggs, Terry, Thompson, VanBuskirk, Ward, Woods, and Wright, of the Senate, and

Messrs. Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cox, Cook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Steward, Stivers, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker, of the House of Representatives—78.

*Those who voted for Craig G. Smith were,*

Messrs. Barker, Carson, Cobb, Douglass, Finch, Gifford, Hanna, Jenkins, Mason, Moore, Vawter and Williams, of the Senate, and

Messrs. Abbett, Beckett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Collins, Colover, Croan, Glazebrook, Gregg, Hargrove, Harrison, Humphreys, Hunt, Lasselle, Lemon, Lopp, Milroy, O'Brien, Osborn, Perigo, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach and White, of the House of Representatives—47.

William R. McKean having received a majority of all the votes cast by the General Assembly, was declared by the President of the Joint Convention, duly elected as a member of the Board of Sinking Fund Commissioners, to fill the vacancy occasioned by the death of S. P. Moody, for the constitutional term prescribed by law.

The President of the Joint Convention then announced that the business for which they had convened was concluded, and declared the Joint Convention adjourned *sine die*.

The Senate then retired to their Chamber.

The Speaker announced the following

#### SPECIAL COMMITTEES.

##### *Special Committee on Resolutions of January 19th, 1865 :*

Messrs. Miller of Tippecanoe, Dunham, Lockhart, Prather and Coffroth.

##### *Special Committee on House Bill No. 8 and Pending Amendments :*

Messrs. Collins, Stringer, Gregg, Gregory of Montgomery, Abbett, and Shoaff of Allen.

Leave of absence was granted Mr. Johnson till Wednesday next.

Mr. Newcomb moved that when this House adjourn, it adjourn till 2 o'clock P. M. to-morrow.

Which was agreed to.

Pending the reference of House bill No. 25,  
On motion of Mr. Coffroth,

The House adjourned.

FRIDAY, 2 o'clock, P. M. }  
January 27th, 1865. }

The House met.

Journal read and approved.

The Speaker announced the following Select Committee on House bill No. 4.

Messrs. Griffith, Steward, Buskirk, Boyd and Lasselle.

The Speaker announced that he had signed enrolled House bill No. 4.

Mr. Griffith moved to reconsider the vote by which the amendment of Mr. Henricks to rules No. 58 and 59 was rejected.

Which was agreed to.

The question being on the adoption of the amendment as offered by Mr. Henricks,

Mr. Brown moved to amend the amendment by striking out the words "without debate."

Which was not agreed to.

The amendment of Mr. Henricks was then adopted.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate has concurred in the election of Hon. E. W. H. Ellis, as Director of the Bank of the State Indiana.

Mr. Buskirk having given notice, on Saturday last, that he would at some future time move to amend the Standing Rules of this House, now offered the following:

Rule No. —. When a bill, or joint resolution has been committed or re-committed either to a Standing or Select Committee, and such committee shall recommend amendments thereto, such amendments

and such further amendments as may be offered thereto, shall be immediately acted upon unless the consideration thereof at such time, may be postponed by a vote of the House.

Which was not agreed to.

Mr. Higgins having given notice yesterday that he would on to-day, move to amend Rule No. 1, by adding "unless by a vote of the House, the reading of the Journal be dispensed with," now moved the adoption of his amendment.

Which was agreed to.

Mr. Newcomb moved to suspend the order of business, so as to enable the committee to whom was referred House bill No. 70, to make a report.

Which was not agreed to.

Mr. Griffith gave notice that he would at the proper time move to amend Rule 63, by striking out from said Rule, where they occur, these words: "At least two thirds," and inserting therein the words, "a majority."

Mr. Dunham gave the following notice :

I give notice that on Monday, or so soon thereafter as I can be heard, I shall move to amend the 59th Rule, so as to provide, that on the third reading of a bill it may be committed or recommitted with instructions.

Senate bill No. 10. A bill to amend section 322, of an act entitled "an act to revise, simplify, and abridge the rules, practice, pleading and forms, in civil cases in the Courts of this State ; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity." Approved June 18th, 1852.

Was read a first time, and passed to a second reading.

Mr. Milroy offered the following resolution :

*Resolved*, That the Judiciary Committee be instructed to return immediately Senate bill No. 3, in relation to County Boards levying taxes for bounty purposes, &c., for the action of this House.

Which,

On motion,

Was adopted.

Mr. Burwell moved to suspend the order of business, and take up Senate bill No. 1.

Which was agreed to.

Senate bill No. 1, was read a second time.

Mr. Wright moved to refer it to the Committee on Ways and Means. Which was not agreed to.

Mr. Higgins offered the following amendment:

Amend, by adding to the 3d section the following:—And the Auditor of State shall also audit and issue warrants to such of the members of the House of Representatives of the year 1863, as had their per diem reduced for absence, for the amount so reduced.

Mr. Brown moved to lay the amendment on the table.

On which Messrs. Brown and Milroy demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Beckett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Colover, Croan, Dunham, Glazebrook, Gregg, Griffith, Hargrove, Harrison, Humphreys, Hunt, Lasselle, Lemon, Lopp, Milroy, O'Brien, Osborn, Perigo, Puett, Richards, Richardson, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Stringer, Stivers, Stuckey, Sullivan of Scott, Thatcher, Upson, Veach and White—41.

Those who voted in the negative were,

Messrs. Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cox, Emerson, Ferris, Foulke, Goodman, Gregory of Warren, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Riford, Shuey, Sim, Steward, Stringer, Trusler, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—44.

So the motion to lay on the table did not prevail.

Mr. Brown offered the following amendment:

Strike out "for absence," and insert "on account of their having bolted and failed to return until the constitutional term of the House had expired."

Mr. Miller, of Tippecanoe, moved to lay the amendment on the table.

On which,  
Messrs. Brown and Milroy demanded the ayes and noes.



Those who voted in the affirmative were,

Messrs. Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cox, Emerson, Ferris, Foulke, Goodman, Gregory of Warren, Gregory of Montgomery, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Sabin, Shuey, Sim, Steward, Stivers, Stringer, Trusler, Upson, Welch, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—49.

Those who voted in the negative were.

Messrs. Abbett, Beckett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Croan, Dunham, Glazebrook, Gregg, Hargrove, Harrison, Humphreys, Hunt, Lasselle, Lemon, Lopp, Milroy, Osborn, Perigo, Richards, Richardson, Roach, Shoaff of Jay, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach and White—33.

So the motion to lay the amendment on the table was agreed to.

Mr. Buskirk offered the following amendment:

“And not engaged in the business of the General Assembly, and being unable from sickness to attend the sessions of the House.”

Mr. Branham moved to refer the bill and pending amendments to the Committee on Ways and Means.

Which was not agreed to.

Mr. Higgins moved to lay Mr. Buskirk's amendment to the amendment on the table.

On which,

Messrs. Buskirk and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Banta, Bonner, Boyd, Branham, Burns, Chambers, Church, Cox, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Riford, Sabin, Shuey, Sim, Steward, Stivers, Stringer, Trusler, Upson, Welch, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—49.

Those who voted in the negative were,

Messrs. Abbett, Beckett, Bird, Brown, Burton, Burwell, Buskirk, H. J.—14.

Coffroth, Colover, Croan, Dunham, Glazebrook, Gregg, Harrison, Hargrove, Humphreys, Hunt, Lasselle, Lemon, Lopp, Milroy, O'Brien, Osborn, Perigo, Puett, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach and White—36.

So the amendment to the amendment was laid on the table.

Mr. Branham moved that when the House adjourn, it adjourn till 2 o'clock P. M., Monday.

Which was agreed to.

Leave was granted Messrs. Howard, Riford and O'Brien till Tuesday, and Messrs. Stenger and Patterson till Wednesday next.

Mr. Chambers, from the Committee on Engrossed Bills, made the following report:

MR. SPEAKER:

The Committee on Engrossed Bills have carefully compared engrossed House bill No. 84, with the original bill, and find that the same has been, in all respects, accurately and correctly engrossed, and corrected under their direction.

Mr. Humphreys, from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills have examined enrolled House bill No. 46, and have instructed me to report the same as correctly enrolled.

The Speaker laid before the House the following message and accompanying documents:

*To the House of Representatives of the State of Indiana:*

The following resolution, passed by your honorable body, was transmitted to me to-day:

*Resolved*, That his Excellency, the Governor, be requested to lay before this House, the annual reports of the Auditor and Treasurer of State, together with all other reports required to be made to him, which by law he is required to present to this House.

In explanation of the fact that the annual reports of the Auditor and Treasurer of State had not been laid before you, I have to state that at the time of receiving your resolution, I was not advised that either

of the reports had been printed. Upon inquiry, however, I find they have been printed, and herewith lay them before you. The report of the Superintendent of Public Instruction has not come from the press.

O. P. MORTON,  
*Governor of Indiana.*

Which,

On motion,

Was laid on the table.

Pending the consideration of Senate bill No. 1, and amendments,

On motion of Mr. Kilgore,

The House adjourned.

2 O'CLOCK, P. M.

The House met.

In the absence of the Speaker, the Clerk called the House to order, and by unanimous consent, Mr. Higgins took the chair.

The Speaker ordered a call of the House, when the following members answered to their names :

Messrs. Abbett, Banta, Beckett, Bonner, Branham, Burnes, Church, Collins, Colover, Crook, Cox, Croan, Emerson, Ferris, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Higgins, Hogate Hoover, Humphreys, Hunt, James, Kilgore, Lasselle, Lemon, Lockhart, Major, Meredith, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Puett, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Sim, Stivers, Sullivan of Scott, Trusler, Upson, Veach and Wright—56.

There not being a quorum present,

Mr. Sullivan, of Scott, moved that this House adjourn until 9 o'clock, A. M., to-morrow morning.

Which was agreed to.

TUESDAY MORNING, 9 o'CLOCK, }  
January 31, 1865. }

The House met.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Abbett, Banta, Beckett, Boyd, Burnes, Burton, Burwell, Chambers, Church, Collins, Colover, Cox, Croan, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Warren, Griffith, Groves, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Montgomery, Newcomb, Olleman, Osborn, Perigo, Puett, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Steward, Stivers, Stringer, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—67.

The Speaker laid before the House the following report from the Board of Trustees of the Wabash and Erie Canal.

TRUSTEES OFFICE, W. & E. CANAL, }  
*Terre Haute, January 30th, 1865.* }

DEAR SIR: I have the honor to submit herewith the Annual Report of the Board of Trustees of the Wabash and Erie Canal, which you will please lay before the House over which you preside.

Very Respectfully,

THOS. DOWLING,  
*Resident Trustee.*

Hon. JOHN U. PETTIT,  
Speaker of the House of Representatives.

Which,

On motion of Mr. Meredith,  
Was laid on the table.

The Speaker announced the following special committees:

On the Resolution of Mr. Wright of Jefferson, to convert the Northern Prison into a House of Correction—Messrs. Higgins, Wright, Milroy, Groves, and Sullivan of Scott.

On the Resolution of January 13th, in regard to acquiring the copy-

right of Gavin and Hord's Statutes—Messrs. Gregory of Warren, Burton and Rhoads.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. Montgomery,

A petition in behalf of the newspaper publishers, praying for some amendments or additions to the laws regulating the publication of matters required by law.

Which,

On motion,

Was referred to the Committee on Printing.

By Mr. Steward,

A petition of Mr. Thomas C. Hill, of Rush county, praying that some provision be made empowering certain county officers to control the binding out of the children of dissipated parents, who fail to provide for their wants.

Which was referred to Committee on Rights and Privileges of the Inhabitants of the State.

By Mr. Branham,

A petition in behalf of N. Field, praying that a tract of land lying north of Ninth street, Jeffersonville, be exempted by law from taxes, until such time as the land is surveyed, the streets opened, and a population large enough to justify city taxation.

Which,

On motion,

Was referred to the Committee on County and Township Business.

By Mr. Stringer,

A petition in behalf of the citizens of Boone county, praying that the law regulating the granting of license to sell spirituous and intoxicating liquors may be so changed as that no license shall be granted unless a majority of the voters are in favor of said license.

Which,

On motion,

Was referred to the Committee on Temperance.

By Mr. Newcomb,

A petition in behalf of citizens and tax-payers of the city of Lawrenceburg, praying that the laws be so amended that no city of less than 7,000 inhabitants, be permitted to collect a tax in any one year exceeding (33) thirty-three cents on the (\$100) one hundred dollars

of taxable property, except on petition of tax-payers to be charged with at least half the tax.

Which,

On motion,

Was referred to the Committee on Rights and Privileges of the Inhabitants of the State.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Branham, from Committee of Ways and Means, made the following report :

The Committee of Ways and Means to whom was referred House bill No. 70, entitled an act to amend an act entitled an act to provide for the compensation of Township Assessors, have had the same under consideration, and have directed me to report the same back, and recommend its passage.

Which was concurred in.

Mr. Miller of Tippecanoe, from the Committee of Ways and Means, made the following report.

MR. SPEAKER :

The Committee of Ways and Means, to whom was referred the Resolution enquiring into the expediency of providing by law, for the exemption from the payment of poll tax of all persons who have been, are now, or may hereafter be in the military service of the United States for the term of actual service of such persons, have had the same under consideration, and direct me to make the following report :

The committee find that it is expedient and proper to exempt from the payment of poll tax, all persons while in the service of the United States, provided the same would be "constitutional;" we, therefore, ask that the Resolution be referred to the Judiciary Committee, with instructions to report by bill or otherwise.

Which,

On motion by Mr. Brown,

Was referred to the Committee on the Judiciary.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER :

I am directed by the Senate, to return to the House of Representatives enrolled

Joint Resolution No. 7. A Joint Resolution instructing our Sen-

aters and requesting our Representatives in Congress, to endeavor to obtain an appropriation for the improvement of the harbor of Michigan City.

Which has been signed by the President of the Senate.

By unanimous consent,

Mr. Newcomb, from the Special Committee on House bill No. 70, made the following majority report.

*To the Speaker of the House of Representatives:*

The Select Committee to whom was referred House bill No. 70, with pending amendments, entitled an act to authorize the several counties and incorporated cities in the State of Indiana, to pay bounties to volunteers in the army and navy of the United States, to contract debts and issue bonds, and to levy taxes to pay said Bonds and interest thereon, to compensate officers for signing such Bonds, and to provide for their ultimate redemption, respectfully report:—

That section one thereof be amended by striking out “three” and insert “one.”

That section 2 thereof be amended, by inserting after the words Bonds, in the second line, the words “or County Orders.”

That section 3 thereof be amended, by striking out the words, “after five years from the date of their issue, provided that said bonds shall not run for a period exceeding twenty years,” and insert in the place thereof the following words: “within five years from the date of their issue, as may be specified in said Bonds or Orders.” And further amend, by striking out the words “semi-annually on the first days of January and July each year,” and insert the words “annually as the same becomes due.” And strike out the residue of said section, and add, “which payment of interest shall be indorsed on such Bonds or Orders at the time payment is made.”

That section 4 be amended, by striking out the word “due,” in the 5th line in said section, and insert the word “annual” before the word interest, on said 5th line; and strike out the word “five,” in line 5, and insert “twenty” in lieu thereof.

Strike out section 5, and insert the following: “at any time when the County Commissioners, or Common Council of any City, as hereinafter mentioned, shall have money in the Treasury to redeem ten per cent. or more of said Bonds or Orders, they shall give notice thereof in the same manner now provided by law for the redemption of County Orders, specifying by their numbers the Bonds or Orders they are ready to redeem, commencing with the lowest number, and if not presented for payment within ten days after the time fixed by said Commissioners or Common Council, interest thereon shall cease from that date; and said funds may be applied to the redemption of

any other of said Bonds or Orders outstanding: *Provided*, that said tax may, at the option of the tax-payer, be paid in whole or in part in the Bonds or Orders issued under the provisions of this act."

That section 6 be amended, by striking out the word "three," in line 4, and insert the word "one."

That section 7 be amended, by inserting after the word Bonds, in line 3, the words "or City Orders."

That section 8 thereof be amended, by striking out the words "after five years from the date of their issue, provided that said Bonds shall not run for a period exceeding twenty years," and insert in place thereof the following words, "within five years from the date of their issue, as may be specified in said Bonds or Orders; and further amend, by striking out the words "semi-annually on the first days of January and July each year," and insert the words "annually as the same becomes due;" and strike out the residue of said section, and add "which payment of interest shall be endorsed on such Bond or Order at the time the payment is made."

That section 9 be amended, by striking out the word "five" and insert "twenty;" and further amend the same by inserting after the word Bonds, wherever the same appears, the words "or City Orders."

That section 10 be amended, by inserting the words "or Orders" after the word "Bonds" in the third and fifth lines of the same article.

That section 12 be stricken out, and the following inserted: such County or City Orders shall be issued and authenticated in the manner now provided for by law; and Bonds issued by any County under the provisions of this act, shall be signed by the County Auditor and Treasurer, and attested by the seal of the Board of Commissioners, (if it have a seal,) and the City Bonds issued in like manner, shall be signed by the Mayor and Clerk of such City, and attested by the seal of the City and the Board of County Commissioners; and Common Council of Cities shall fix the compensation of said officers for signing such Bonds or Orders.

Insert the following section, as section 13.

All laws and parts of laws conflicting with the provisions of this act, are hereby repealed.

That section 13 be numbered as section 14, and after the adoption of said amendments, the committee respectfully recommend the passage of the bill.

Mr. Brown, from the same Committee, made the following minority report:

Strike out from the enacting clause, and insert the following:

SECTION 1. That there shall be paid by the State of Indiana, to all volunteers from said State, a bounty of one hundred dollars whenever the volunteer shall be mustered into the service of the United States.

SEC. 2. That for the purpose of paying said bounties, four million



five hundred thousand dollars, or as much thereof as may be required, is hereby appropriated out of any money in the treasury not otherwise appropriated.

SEC. 3. That for the purpose of meeting the appropriation in the preceding section made, there shall be assessed and collected, eighty cents upon each one hundred dollars of valuation of the taxable property subject to taxation in the State.

SEC. 4. That no volunteer shall be entitled to or paid said bounty, or any part thereof, until he shall have been duly credited to the township in which he resided at the time of his enlistment, and had so resided at least thirty days prior thereto.

SEC. 5. All bounties by counties, cities, towns, or townships, are hereby declared illegal and void, and are hereby strictly prohibited.

SEC. 6. Any officer, whether county, city, town, or township, who shall in anywise be concerned in granting or paying any bounty, in contravention of the next preceding section, or who shall be in anywise aiding and abetting in so doing, shall be declared guilty of a misdemeanor, and upon due conviction thereof, shall be fined not less than five hundred, nor more than one thousand dollars, to which may be added imprisonment for not more than one year.

SEC. 7. That whereas, an emergency is declared to exist for the immediate taking effect of this act, it shall take effect and be in force from and after its passage.

Mr. Wright moved that the Reports, bill and amendments lay on the table, and that 200 copies be printed for the use of this House.  
Which was agreed to.

Mr. Gregory of Warren from the Committee on Education, made the following report:

The Committee on Education, to whom was referred House bill No. 22, in relation to legalizing the sales of certain, school lands in Lake county, offered by Mr. Woods, have had the same under consideration, and they have instructed me to report that it is expedient to pass said bill. Your Committee, therefore, return the same to the House, and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Gregory of Warren, Chairman of the Committee on Education, made the following report:

MR. SPEAKER:

The Committee on Education, to whom was referred the petitions of sundry German citizens of Allen county, presented to the House by Mr. Shoaff, of Allen county, asking the Legislature to consider

the propriety of establishing German common schools in the State of Indiana, upon similar principles as adopted in the State of Ohio or Pennsylvania, for the benefit of our German population, and those who desire to acquire a knowledge of the German language besides the English, have had the same under consideration, and they have instructed me to report against the propriety of granting the prayer of the petitioners at this time, for the reason that they deem it inexpedient to have established two systems of common free schools, one for the English and one for the German language. The English language being the chief language in use, and likely to remain such, our German friends having the privilege and benefit of our free school system for the taxes imposed upon them. Should any one desire to become acquainted with the German language, opportunities are offered to him in many schools and institutions in the State where such German language may be acquired for a reasonable compensation; that the cost of such a system of German free schools would overrun the profits to be derived from the same.

All of which is respectfully submitted.

Mr. Miller of Tippecanoe moved to recommit, with the following instructions :

Refer back to the Committee with instructions to report whether it would not be proper and expedient to have the German language taught in our public schools, where the interest and wishes of the inhabitants desire it, or a sufficient number of German pupils to employ a German teacher, desires to attend said free school.

Which was agreed to.

Mr. Burnes, from the Committee on Rights and Privileges of the Inhabitants of the State, made the following report :

MR. SPEAKER :

The Committee on Rights and Privileges, to whom was referred the resolution directing said Committee to inquire into the expediency of reporting a bill for the more effectual protection of the Sabbath day, have had the same under consideration, and report the same back, and recommend that it lie upon the table, believing that any further legislation on the subject is, at this time, unnecessary and inexpedient.

On the motion to concur in the recommendation of the report, there not appearing to be a quorum voting,

The Speaker ordered a call of the House, with the following result :

Messrs. Abbett, Banta, Becket, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Church, Collins, Colover,

Cook, Croan, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Kilgore, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Rhoads, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Steward, Stivers, Stringer, Sullivan of Scott, Thatcher, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—76.

Their being a quorum present, then,

On motion,

The report was concurred in.

Mr. Hogate, from the Committee on Agriculture, made the following report :

MR. SPEAKER :

The Committee on Agriculture, to whom was referred House bill No. 20, a bill for the encouragement of agriculture, have had the same under consideration and direct me to report the same back to the House and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Branham, from the Joint Special Committee, on the expenditures of the Governor, made the following majority report :

MR. SPEAKER :

The Joint Committee, appointed by the Senate and House of Representatives for the purpose of examining the vouchers in relation to the receipts and expenditures of money by the Governor, have discharged that duty, and beg leave to report that they find the books and vouchers all proper and correct, and that there has been great care in the disbursements of the funds borrowed and received to carry on the State Government, and in protecting the public interest.

We find the Governor chargeable with one million twenty-six thousand three hundred and twenty-one dollars and thirty-one cents, received from various sources. He has disbursed, as shown by the proper vouchers on file, nine hundred and two thousand and sixty-five dollars and eight cents, leaving a balance now in his hands of one hundred and twenty-four thousand two hundred and sixty-five dollars and twenty-three cents, which is on deposit in bank, as shown by certificates of deposit.

The following statement of the account is a full exhibit of all the financial transactions of the Governor :

### RECEIPTS:

#### *On Account of Loans from Counties, Individuals, &c.*

From Decatur county, June 13, 1863.....	\$7,000 00	
From Tippecanoe county, June 15, 1863 .....	5,000 00	
From Marion county, June 15, 1863.....	\$10,000 00	
From Marion county, February 1, 1864.....	10,000 00	
		20,000 00
From Vermillion county, June 18, 1863.....		2,500 00
From Hendricks county, June 19, 1863.....	\$6,550 00	
From Hendricks county, July 15, 1863.....	3,450 00	
		10,000 00
From Henry county, June 23, 1863.....		6,000 00
From Lake county, June 23, 1863 .....	1,000 00	
From Parke county, June 23, 1863.....	2,000 00	
From Fayette county, June 24, 1863 .....	5,000 00	
From Lagrange county, June 27, 1863 .....	4,000 00	
From Wabash county, June 29, 1863.....	10,000 00	
From William S. Reed and others, citizens of Wayne county, August 3, 1863...	20,000 00	
From Delaware county, August 5, 1863.....	5,000 00	
From Warren county, August 24, 1863.....	2,500 00	
From Boone county, September 25, 1863.....	\$1,200 00	
From Boone county, January 14, 1864.....	3,800 00	
		5,000 00
From Hamilton county, January 27, 1864.....	2,000 00	
From Terre Haute and Richmond R. R. Co., October 30, 1863.....	15,000 00	
From W. R. McKeen, January 19, 1864 .....	10,000 00	
From St. Joseph county, February 5, 1864.....	3,000 00	
		\$135,000 00

#### *On Account of Advancement by United States.*

From Treasurer United States, for military purposes.....	250,000 00
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#### *On Account of Temporary Advancement.*

From O. P. Morton, June 14, 1864, for military purposes .....	1,483 00
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#### *On Account of Indiana Arsenal.*

From Treasurer United States, two drafts, April 18, 1863, for ammunition, &c....	\$72,329 84	
From Treasurer United States, one draft, June 29, 1863, for ammunition, &c....	17,928 98	
From Treasurer United States, one draft, July 11, 1863, for ammunition, &c....	47,594 30	
From Treasurer United States, one draft, August 12, 1863, for ammunition, &c.	38,548 76	
From Treasurer United States, one draft, Sept. 30, 1863, for ammunition, &c....	53,971 55	
From Treasurer United States, one draft, Nov. 13, 1863, for ammunition, &c....	41,361 88	
From Treasurer United States, one draft, April 22, 1864, for ammunition, &c....	50,217 17	
From Treasurer United States, one draft, April 29, 1864, for ammunition, &c....	16,933 31	
From Military Auditing Committee, April 18, 1864, buildings sold .....	1,108 80	
From T. A. Lewis, June 14, 1864, refunded for over draft.....	4 25	
		339,998 92

#### *On Account of Indiana Militia.*

From Treasurer United States, Feb. 1, 1863, on State Paymaster's vouchers.....	\$32,000 00	
From Treasurer United States, April 22, 1864, on State Paymaster's vouchers...	47,355 62	
From Treasurer United States, June 14, 1864, on State Paymaster's vouchers...	27,404 56	
From Treasurer United States, June 26, 1864, on State Paymaster's vouchers....	64,352 26	
From Treasurer United States, June 26, 1864, on State Paymaster's vouchers.....	13,273 82	
From Treasurer United States, Aug. 2, 1864, on State Paymaster's vouchers.....	3,026 79	
From Major Stearns Fisher, State Paymaster, refunded November 5, 1863.....	50,000 00	
		\$237,413 05

*On Account of Military Contingent Fund.*

From A. Stone, Quartermaster General, on Steamboat account, July 22, 1863...	\$2,724 50	
From James Thompson, Indiana Military Agent, refunded, August 12, 1863.....	100 00	
From James Thompson, Indiana Military Agent, refunded, October 7, 1863 .....	35 00	
From Jason Ham, Indiana Military Agent, refunded, October 7, 1853.....	200 00	
From Treasurer United States, Steamboat account, April 18, 1864.....	2,651 50	
From sale of United States Certificates of Indebtedness of \$4,000, on Steamboat account, April 18, 1864, proceeds.....	3,934 07	
From J. W. Montfort, Indiana Military Agent, stores for prisoners of war sold, July 26, 1864.....	1,389 90	
From the United States, per W. H. H. Terrell, special premiums refunded, September 8, 1864.....	49,740 00	
		60,724 97

*On Account of Army Supplies.*

From Major Stevenson, Paymaster United States, on account of Captain Patton's Company, Third Indiana Cavalry, equipments furnished by State Quartermaster General, August 14, 1863.....	1,150 50
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*On Account of Donation.*

From Jacob Hannen, donated for Benevolent Institutions, April 21, 1863.....	50 00
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*On Account of Northern Indiana Prison.*

From D. G. Rose, United States Marshal, keeping United States convicts, July 26, 1864...	500 87
Total receipts.....	<u>\$1,026,321 31</u>

## DISBURSEMENTS.

*On Account of Benevolent Institutions.*

For Hospital for the Insane, supplies and expenses .....	\$81,680 89	
For Institute for the Blind, supplies and expenses .....	42,491 73	
For Asylum for the Deaf and Dumb, supplies and expenses.....	26,464 60	
		\$150,087 22

*On Account of State Prisons.*

For Northern Prison, supplies and expenses .....	\$34,590 19	
For Northern Prison, on old indebtedness.....	1,250 00	
For Southern Prison, supplies .....	4,000 00	
		38,840 19

*On Account of Superintendent of Public Instruction.*

For office and traveling expenses .....	1,552 64
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*On Account of Civil Contingencies.*

For sundry expenses, civil business.....	3,731 88
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*On Account of Temporary Advancement.*

For amount repaid O. P. Morton, December 31, 1864, for money advanced .....	1,483 00
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*On Account of Interest on Loans.*

For one year's interest, in advance, on Citizens' Wayne county Loan, at 6 per cent., August 3, 1863.....	\$1,200 00	
For one year's interest, in advance, on Citizens' Wayne county Loan, at 6 per cent., July 28, 1864.....	1,200 00	\$2,400 00

*On Account of Indiana Arsenal.*

For supplies, labor, &c., per vouchers filed.....	\$181,389 33	
For amount refunded M. L. Brett, Treasurer of State, June 17, 1864, for moneys drawn from the State Treasury on account of Arsenal.....	87,229 58	268,618 90

*On Account of Indiana Militia.*

For amount advanced Major Stearns Fisher, State Paymaster, Oct. 19, 1863...	\$50,000 00	
For amount advanced Major Stearns Fisher, State Paymaster, Dec. 8, 1863.....	50,000 00	
For amount advanced Major Stearns Fisher, State Paymaster, Jan. 8, 1864.....	71,368 88	
For amount refunded M. L. Brett, Treasurer of State, August 10, 1864, for moneys drawn by State Paymaster from State Treasury.....	75,000 00	240,331 88

*On Account of Military Contingent.*

For special premiums, 11,971 recruits, \$6 each .....	\$79,746 00	
For Steamboat, relief of sick and wounded.....	29,512 43	
For special surgeons to army and hospitals.....	15,055 42	
For supplies of Indiana prisoners of war.....	5,639 01	
For recruiting services and expenses, raising troops.....	9,371 54	
For miscellaneous military expenses.....	10,390 92	
For advanced Brig. Gen. Carrington, commanding District of Indiana, for military purposes, August 4, 1864, to be paid by United States.....	1,000 00	
For advanced to Maj. Gen. Hovey, commanding District of Indiana, for military purposes, Nov. 1, 1864, to be refunded by United States .....	5,000 00	
For military telegraphing .....	2,037 05	
For Indiana military agencies .....	4,139 51	
For military services.....	3,813 58	
For refreshments, &c., for returning veteran volunteers at Jeffersonville.....	3,537 30	160,242 76

*On Account of Indiana Armory.*

For equipments, materials, repairs of arms, expenses of ordnance office, &c.....	23,730 20
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*On Account of Allotment Commissioner.*

For salary and expenses Allotment Commissioner, collecting and transmitting pay of Indiana soldiers .....	1,204 31
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*On Account of Ordnance Office.*

For clerk hire and expenses adjusting accounts for the army, for the State, and for Indiana volunteer officers, with United States.....	1,106 00
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*On Account of Soldiers' National Cemetery.*

For first installment of 25 per cent. on amount assessed against the State for purchase of grounds expenses of re-intering Indiana soldiers, Gettysburg, Pa.....	1,156 00	
Total disbursements.....	\$902,065 08	
Cash in bank.....	121,256 23	
	<u>\$1,026,321 31</u>	

## RECAPITULATION.

From the foregoing data, the following statement of the Governor's account with the State, as it stands at this time, is made:

*Governor O. P. Morton, in account with the State of Indiana,*

## DEBIT,

For cash, advanced by the United States.....	\$250,000 00
For cash, raised on loans from counties, &c.....	135,000 00
For cash, profits of Arsenal.....	71,380 00
For cash, from 3rd Ind., Vol. Cavalry.....	1,150 50
Total.....	<u>\$457,530 51</u>

## CREDIT AS PER VOUCHERS.

By amount due from State Paymaster.....	\$8,948 83
Due from United States on account of Armory.....	23,730 29
Due from U. S. on account of Ordnance Officer.....	1,106 00
Due from U. S. on account of Military Contingent.....	99,517 79
Total Military Vouchers unadjusted.....	<u>\$133,302 91</u>
Benevolent Institutions.....	\$150,587 22
Northern Prison.....	35,339 32
Southern Prison.....	4,000 00
Civil Contingent.....	3,731 88
Interest on Loans payable to counties.....	2,400 00
Superintendent Public Instruction.....	1,552 64
Allotment Commissioner.....	1,204 31
Soldiers, National Cemetery.....	1,156 00
Total charge to State proper. ....	<u>\$199,971 37</u>
Balance cash on hand.....	124,256 23
Total.....	<u>\$457,530 51</u>

The two hundred and fifty thousand dollars, money furnished the Governor by the General Government, as a disbursing officer, is not wholly provided for; and, also, the one hundred and thirty-five thousand dollars due to counties and corporations, borrowed for the purpose of carrying on the Benevolent Institutions, &c.

There is due from the General Government to the State, as shown by the proper vouchers on file, one hundred and thirty-three thousand three hundred and two dollars and ninety-one cents, which, with the balance of cash now on hand, would overpay the amount due the General Government. This would leave the amount used for carry-

ing on the Benevolent Institutions unprovided for, but this Committee would make the following recommendation: That the two hundred and fifty thousand dollars received from the General Government be assumed by the State, and the amount placed to the credit of the General Government, and any claims the State has or may have, in the future, will be a legal off-set against this amount, and that the one hundred and thirty-five thousand dollars, borrowed from counties, corporations and individuals, be paid out of the Treasury of the State, including interest at the rate of six per cent. per annum, from the date of receipt to date of repayment of the same; that the amount of one hundred and twenty-four thousand, two hundred and sixty-five dollars and twenty-four cents, now in the hands of the Governor, be paid over to the Treasurer of State, to be placed to the credit of the general fund. We further recommend that all books, vouchers and claims be handed over, by the Governor, to the Auditor of State for preservation and reference, as to the finances of the State, so far as carried on by the Governor, and that the same be recognized as the act of the State, and that the State relieve the Governor from any further liability, after paying over the funds now in his hands.

The Committee can not complete this report without expressing their entire satisfaction of the manner and ability with which this department has been conducted under the control of the Financial Secretary, Col. W. H. H. Terrell. The system of vouchers adopted by him for the expenditures of the Benevolent Institutions, prisons, &c., are more full and complete than they have ever before been, and we respectfully recommend that these Institutions be required to use the same forms in future.

By request of the Governor, the Committee have inquired of the banks where the Governor kept the deposits of the State, and find that the interest on the deposits has not been allowed or paid to him, either directly or indirectly.

Which,

On motion by Mr. Branham,

Was laid on the table and 500 copies ordered to be printed.

Mr. Humphreys, from the same Committee, asked consent to make, at some future time, a minority report, and have the same printed with that of the majority.

Which was agreed to.

Mr. Collins, of Adams, from the Special Committee on House bill No. 8, made the following report:

MR. SPEAKER:

The Special Committee, to whom was referred House bill No. 8, having had the same under consideration, respectfully report the



same back to the House with the following amendments, and with such amendments recommend the passage of the bill :

Amend the title of the bill by adding to the first line of the title, after the word "and," "providing a fund."

Strike out all of the title of the bill after the figures "1861," in the seventh line, and insert "and providing that nothing in this act shall be so construed as to conflict with the provisions of an act, entitled, "An Act for the protection of sheep," approved June 15, 1852."

Amend section 1, seventh line, by striking out the word "or," after the word "owned," and insert the words "or harbored," after the word "kept."

Amend section 2, seventh line. After the word "owned" insert the words "kept or harbored," and in the tenth line strike out "fifty cents" and insert "one dollar;" and in the eleventh line, after the word "owned," strike out the word "or," and after the word "kept" insert the words "or harbored;" in the thirteenth line strike out "one" and insert "two."

Amend section 6, fourth line. After the word "shall" insert, "for every such offense," and after the word "township," in the eighth line, strike out the balance of said section.

Amend section 8, ninth and tenth lines. Strike out these words, "and all other laws conflicting with the provisions of this act," and insert "provided that nothing in this act shall be so construed as to conflict with the provisions of an act for the protection of sheep, approved June 15, 1852."

Which,

On motion,

Was laid on the table.

Mr. Kilgore introduced

House bill No. 93. A bill to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors—to prohibit the adulteration of liquors—giving the Circuit Court jurisdiction to try certain offenses herein defined; to repeal all former laws contravening the provisions of this act, and prescribing penalties for the violation thereof.

Which was read a first time, and,

On motion by Mr. Shuey,

Was referred to the Committee on Temperance, and 300 copies ordered to be printed.

H. J.—15

By unanimous consent,

Mr. Milroy offered the following resolution :

*Resolved*, That the Judiciary Committee now be instructed to report Senate bill No. 3 back to this House instanter, for further action on said bill.

Mr. Brown moved to amend the resolution, by making it one of inquiry.

The resolution, as amended, was then adopted.

The Speaker announced the following Select Committee on House bill No. 4, and pending amendments :

Messrs. Griffith, Steward, Buskirk, Boyd and Lasselle.

By unanimous consent of the House, the Committee on Military Affairs was granted leave of absence to go into a meeting of the committee.

Mr. Henricks offered the following resolution :

*Resolved*, That the Speaker of this House be now instructed to take from his table all bills that may have been once read, in the order in which they were read, so that they may be referred to committees, in accordance with Rule 58, as now amended.

Which was adopted.

Whereupon, the Speaker directed the execution of the order.

#### BILLS ON FIRST READING.

House Joint Resolution No. 8, was taken up, and,

On motion by Mr. Higgins,

Was laid on the table.

House bill No. 26, was taken up, and,

On motion,

Referred to the Committee on Education.

House Joint Resolution No. 9, was taken up, and,

On motion by Mr. Thatcher,

Laid on the table.

House bill No. 27, was taken up, and,

On motion by Mr. Higgins,

Referred to the Committee on the Judiciary.

House bill No. 28, was taken up, and,

On motion by Mr. Beckett,

Referred to the Committee on the Judiciary.

House bill No. 29, was taken up, and,

On motion by Mr. Woods,

Referred to the Committee on Agriculture.

House bill No. 30, was taken up, and,

On motion by Mr. Wright,

Referred to the Committee on Railroads.

House bill No. 31, was taken up, and,

On motion by Mr. Beckett,

Referred to the Committee on County and Township Business.

House bill No. 32 was taken up, and,

On motion by Mr. Stringer,

Was referred to the Committee on the Judiciary.

House bill No. 33 was taken up, and,

On motion by Mr. Shoaff of Jay,

Was referred to the Committee on Temperance.

House bill No. 34 was taken up.

Mr. Gregg moved to refer it to the Committee on the Judiciary.

Which was not agreed to.

Mr. Groves moved to refer it to the Committee on the Organization of Courts of Justice.

Which was agreed to.

House bill No. 35 was taken up, and,

On motion by Mr. Burton,

Was referred to the Committee on Rights and Privileges of the Inhabitants of the State.

House bill No. 36 was taken up, and,

On motion by Mr. Henricks,

Was referred to the Committee on Education.

House bill No. 37 was taken up, and,

On motion by Mr. Groves,

Was referred to the Committee on Elections.

House bill No. 38 was taken up, and,

On motion by Mr. Burnes,

Was referred to the Committee on Education.

House bill No. 40 was taken up, and,

On motion by Mr. Rhoads,

Was referred to the Committee on Education.

House bill No. 41 was taken up.

Mr. James moved to refer to the Committee on the Judiciary.

Mr. Milroy moved to refer to the Committee on the Rights and Privileges of the Inhabitants of the State.

Mr. Groves moved to refer to the Committee on Organization of Courts of Justice.

The motion to refer to the Committee on the Judiciary having precedence, was put, and the bill was so referred.

House bill No. 42 was taken up, and,

On motion by Mr. Sullivan of Scott,

Was referred to the Committee on County and Township Business.

House bill No. 43 was taken up, and,

On motion by Mr. Gregory of Warren,

Was referred to the Committee on Organization of Courts of Justice.

House bill No. 44 was taken up, and,

On motion by Mr. Burnes,

Was referred to the Committee on the Judiciary.

House bill No. 47 was taken up, and,

On motion by Mr. Lockhart,

Was referred to the Committee on the Sinking Fund.

House bill No. 48 was taken up, and,

On motion by Mr. Whiteside,

Was laid on the table.

House bill No. 49 was taken up, and,

On motion by Mr. Shoaff of Jay,

Was referred to the Committee on Roads.

House Joint Resolution No. 10 was taken up.

Mr. Brown moved to refer to the Committee on Military Affairs.

Mr. Milroy moved to refer to the Committee on the Judiciary.

Which was not agreed to.

Mr. Brown's motion then prevailed.

House bill No. 50 was taken up, and,

On motion by Mr. Groves,

Was referred to the Committee on Swamp Lands.

House bill No. 51 was then taken up.

Mr. Sullivan of Scott moved to refer to the Committee on County and Township Business.

Which was not agreed to.

Mr. Stringer moved to refer to the Committee on Roads.

Which was agreed to.

House bill No. 52 was taken up, and,

On motion by Mr. Stivers,

Was referred to the Committee on County and Township Business.

House bill No. 53 was taken up, and,

On motion by Mr. Burnes,

Was referred to the Committee on County and Township Business.

House bill No. 54 was taken up, and,

On motion by Mr. Lockhart,

Was referred to the Committee on Education.

House bill No. 55 was taken up, and,

On motion by Mr. Woods,

Was referred to the Committee on Swamp Lands.

House bill No. 56 was taken up, and,

On motion by Mr. Miller of Clinton,

Was referred to the Committee on Fees and Salaries.

House bill No. 57 was taken up, and,

On motion by Mr. Milroy,

Was referred to the Committee on the Organization of Courts of Justice.

House bill No. 58 was taken up, and,

On motion by Mr. Rhoads,

Was referred to the Committee on Rights and Privileges of Inhabitants of the State.

House joint resolution No. 11 was taken up, and,

On motion by Mr. Woods,

Was referred to the Committee on Swamp Lands.

House bill No. 60 was taken up, and,

On motion by Mr. Hoover,

Was referred to the Committee on Corporations.

House bill No. 61 was taken up, and,

On motion,

Was referred to the Committee on the Judiciary.

House bill No. 62 was taken up, and,

On motion by Mr. Lockhart,

Was referred to the Committee on Corporations.

Message from the Governor, by Mr. B. R. Sulgrove, his Private Secretary.

STATE OF INDIANA, EXECUTIVE DEPARTMENT, }  
Indianapolis, January 31st, 1865. }

*To the Speaker of the House of Representatives:*

I am directed by the Governor to inform the House that he has approved Enrolled Joint Resolution No. 7, entitled a Joint Resolution instructing our Senators and requesting our Representatives in Congress to endeavor to obtain an appropriation for the improvement of the Harbor at Michigan City and the same has been filed in the office of the Secretary of State.

House bill No. 64 was taken up, and,

On motion by Mr. Miller of Clinton,

Was referred to the Committee on the Judiciary.

House bill No. 65 was taken up, and,  
 On motion by Mr. Lasselle,  
 Was referred to the Committee on the Judiciary.

House bill No. 66 was taken up, and,  
 On motion by Mr. Groves,  
 Was referred to the Committee on County and Township Business.

Mr. Milroy moved to reconsider the vote by which House bill No. 66 was referred to the Committee on County and Township Business. Which was not agreed to.

House bill No. 67 was taken up, and,  
 On motion by Mr. Miller of Clinton,  
 Was referred to the Committee on the Judiciary.

House bill No. 68 was taken up.

Mr. Sullivan, of Scott, moved to refer to the Committee on Military Affairs.

Mr. Gregory, of Warren, moved to refer to the Committee on the Judiciary.  
 Which was not agreed to.

Mr. Sullivan's motion to refer to the Committee on Military Affairs was then agreed to.

House bill No. 69 was taken up and on motion by Mr. Lockhart was referred to the Committee on Roads.

House bill No. 71 was taken up, and,  
 On motion by Mr. Bird,  
 Was referred to a Select Committee of Five.

House bill No. 72. was taken up, and,  
 On motion by Mr. Boyd,  
 Was laid on the table.

House bill No. 73 was taken up, and,  
 On motion by Mr. Lockhart,  
 Was referred to the Committee on Roads.



House bill No. 74 was taken up, and,

On motion by M. Miller, of Clinton,

Was referred to the Committee on the Judiciary.

House bill No. 75, was taken up, and,

On motion by Mr. Hargrove,

Was referred to the Committee on Railroads.

House bill No. 76 was taken up, and,

On motion, by Mr. Milroy,

Was referred to the Committee on Education.

House bill No. 77 was taken up, and,

On motion by Mr. Shoaff, of Jay,

Was referred to the Committee on the Judiciary.

House bill No. 78, was taken up, and,

On motion by Mr. Hershey,

Was referred to the Committee on Swamp Lands.

House bill No. 79 was taken up, and,

On motion by Mr. Wright,

Was referred to the Committee on Roads.

House bill No. 80 was taken up, and

On motion by Mr. Shuey,

Was referred to the Committee on Ways and Means.

House bill No. 81 was taken up, and,

On motion by Mr. Lockhart,

Was referred to the Committee on Swamp Lands.

House bill No. 82 was taken up, and,

On motion by Mr. Meredith,

Was referred to the Committee on Education.

House bill No. 83 was taken up, and,

On motion by Mr. Milroy,

Was referred to the Committee on Corporations.

House bill No. 85 was taken up, and,

On motion,

Was referred to the Committee on Agriculture.

House bill No. 86 was taken up, and,

On motion by Mr. Woods,

Was referred to the Committee on Swamp Lands.

House bill No. 87, was taken up, and,

On motion,

Was referred to the Committee on the Organizations of Courts of Justice.

House bill No. 88, was taken up, and,

On motion by Mr. Miller of Tippecanoe,

Was referred to the Committee on Corporations.

House bill No. 89, was taken up, and,

On motion by Mr. Groves,

Was referred to the Committee on Railroads.

House bill No. 90, was taken up, and,

On motion,

Was referred to the Committee on Fees and Salaries.

House bill No. 91, was taken up, and,

On motion by Mr. Wright,

Was referred to the Committee on the Judiciary.

House bill No. 92, was taken up, and,

On motion by Mr. Sullivan of Scott,

Was referred to the Committee on County and Township Business.

House bill No. 93, was taken up, and,

On motion by Stringer,

Was referred to the Committee on Temperance.

Senate bill No. 23, was taken up, and

On motion,

Was referred to the Committee on the Judiciary.

Senate bill No. 4, was taken up, and,

On motion by Mr. Brown,

Was referred to the Committee on the Judiciary.

Senate Joint Resolution No. 10, was taken up, and,

On motion by Mr. Sullivan of Scott,

Was referred to the Committee on Agriculture.

Senate bill No. 7, was taken up, and,

On motion by Mr. Stringer,

Was referred to the Committee on the Organization of Courts of Justice.

Senate bill No. 8 was taken up, and,

On motion of Mr. Sullivan of Scott,

Referred to the Committee on Corporations.

Senate bill No. 11 was taken up, and,

On motion by Mr. Groves,

Referred to the Committee on the Organization of Courts of Justice.

Senate bill No. 14, was taken up, and,

On motion by Mr. Brown,

Referred to the Committee on the Judiciary.

Senate Joint Resolution No. 5, was taken up, and,

On motion by Brown,

Referred to the Committee on Military Affairs.

Mr. Wright moved to suspend the order of business, and take up bills on third reading.

Which was agreed to.

House bill No. 7, was taken up.

Mr. Higgins moved that the bill be considered engrossed, and read a third time now.

Which was agreed to.

House bill No. 7. A bill to amend the first section of an act, entitled, "An act to amend the second section of an act entitled, 'an act concerning the organization of Voluntary Associations, and repealing former laws in reference thereto,'" approved February 12th, 1855, so as to authorize the formation of Ferry Companies, approved February 16th, 1857, so as to authorize the survey, construction, maintenance and repair of Harbors, Docks and Piers, upon Lake Michigan, and other navigable waters, and to assess and collect tolls, for the use thereof,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Banta, Beckett, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Collins, Colover, Cook, Cox, Croan, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Warren, Griffith, Groves, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Lasselle, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Clinton,

Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Reese, Rhoads, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Steward, Stivers, Stringer, Upson, Veach, Welch, White, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—72.

Mr. Kilgore voting in the negative.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof,

House Joint Resolution No. 12. A Joint Resolution on behalf of the Grand Rapids and Indiana Railroad Company, asking that an extension of time be granted by the Congress of the United States, to enable them to complete the construction of their road,

Was read a third time.

The question being, shall the Joint Resolution pass?

Those who voted in the affirmative were,

Messrs. Abbett, Banta, Beckett, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Buskirk, Chambers, Church, Collins, Colover, Cook, Cox, Croan, Emerson, Ferris, Goodman, Glazebrook, Gregg, Gregory of Warren, Griffith, Groves, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Kilgore, Lassel, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Reece, Rhoads, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Steward, Stivers, Stringer, Trusler, Upson, Veach, White, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—74.

None voting in the negative.

The question being, shall the title as read, stand as the title of the Joint Resolution?

It was so ordered.

So the Joint Resolution passed.

*Ordered*, That the Clerk inform the Senate thereof.

House bill No. 63. A bill relating to corporations for mechanical, manufacturing, mining and quarrying purposes.

The amendment recommended by the committee, was read, and,  
On motion,  
Was adopted.

The bill, as amended, was then read a third time.

The question being, shall the bill pass?

Pending which,

On motion by Mr. Groves,

The House adjourned.

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WEDNESDAY MORNING, 9 O'CLOCK, }  
February 1, 1865. }

The House met.

The Clerk proceeded to read the Journal, when,

On motion by Mr. Miller of Tippecanoe,

The further reading of the Journal was dispensed with.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Henricks, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee, to whom was referred the account of the State Librarian for the sum of \$2189.42, for furnishing and repairs to the State House, have had the same under consideration, and recommend the same to be placed in the specific appropriation bill for payment.

Which,

On motion,  
Was laid on the table.

Mr. Groves, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of R. L. and A. W. McOuatt, for the sum of \$187.75, and interest to the amount of \$23.20, have had the same under consideration, and recommend that the same be allowed, and placed in the specific appropriation bill.

Which,

On motion by Mr. Brown,

Was referred to the Committee on Ways and Means.

The Speaker laid before the House the following communication from the Governor:

*To the Senate and House of Representatives of the Legislature of Indiana.*

It is my duty to call your attention to the necessity of providing secure offices for the deposit and preservation of the papers and public records of the State. The offices of the Secretary, Treasurer, and Auditor of State, are kept in the lower story of McOuatt's building, on Kentucky Avenue. This building is four stories high; the three upper stories being occupied by lodgers, each one of whom, it is fair to presume, keeps a fire. The danger arising from fire, in a building thus occupied, is much greater even than in a large hotel, over which there is a supervisory care. The building is not fire proof, and is of course exposed to danger by the burning of other houses, by which it is closely surrounded. The records in the office of the Auditor and Secretary of State are invaluable. If destroyed, more than one half of them could not be replaced, and the rest could only be restored after great labor and expense. It is, therefore, a matter of great importance that speedy steps be taken to procure a safe and suitable building, in which the State offices may be kept, and respectfully invite your attention to the subject.

O. P. MORTON,  
*Governor of Indiana.*

Which;

On motion by Mr. Brown,

Was referred to the Committee on Ways and Means.

The Speaker laid before the House the following communication from the Governor.

*To the House of Representatives of the State of Indiana :*

The following communication has been placed in my hands, with the request that I should lay the same before the General Assembly, which I do with pleasure.

INDIANAPOLIS, January 23, 1865.

*To His Excellency, Gov. O. P. MORTON :*

The undersigned, a committee appointed by a large and respectable meeting of the citizens of Wayne county and Eastern Indiana, held at Star Hall, in the city of Richmond, on Saturday, the 21st January, 1865, for the purpose of considering the interest of the Agricultural and Industrial College enterprize, authorized by act of Congress, beg leave to present to you, and through you to the Legislature, now in session, the action of that meeting in the premises.

At that meeting, the following resolutions were unanimously adopted :

*Resolved*, That Wayne county can, and will raise one hundred thousand dollars, (and more, if necessary,) to induce the Legislature to locate the Agricultural and Industrial College near Richmond, Wayne county.

On motion, H. B. Payne, Joseph C. Ratliff, Lewis Burk, Rowland F. Reed, Renjamin Stratton, S. R. Higgins and J. W. Grubbs, were appointed a committee to visit Indianapolis, and through you, to lay before the Legislature the above proposition, and make known the desire of our people in the premises.

On behalf of our citizens, therefore, we respectfully request, that you will lay the proposition before the Legislature, and say to them that before locating the Institution, the claims of Wayne county may be considered, in reference to her agricultural, horticultural and mechanical position, compared with any County in the State, as well as the liberalities, industry, and enterprise of her people.

H. B. PAYNE,  
Chairman of Committee.

Richmond is a beautiful and flourishing city, distinguished for its healthfulness, and situated in a fertile and highly cultivated county. The offer made, must be admitted to be generous, and is entitled to your consideration among others that have or may hereafter be made, and the character of the gentlemen from whom it came, is a sufficient assurance that it will be made good, if accepted.

O. P. MORTON,  
*Governor of Indiana.*

Which,

On motion by Mr. Brown,

Was referred to the Committee on Education.



Mr. Meredith, from the Committee on Benevolent and Scientific Institutions, made the following report :

MR. SPEAKER :

The Committee on Benevolent and Scientific Institutions have had under consideration the different subjects involved in its scope of duty, and have directed me to report thereon as follows :

The management and condition of the Hospital for the Insane during the past two years has been the subject of careful examination. There are, at this time, about three hundred patients therein, which number is all that can possibly be accommodated without an enlargement of the Hospital buildings. The Superintendent, Dr. Woodburn, has evinced good judgment, and exercised great care and industry in the discharge of the duties of his position. The different wards, rooms and bedding of the Hospital are cleanly, and the patients are well fed, well clothed, and as comfortable as is consistent with their unfortunate condition of mind and body. With the means which have been at the disposal of the Superintendent during the past two years, the Committee are of the opinion that the Hospital management has reflected great credit upon him, as well as upon the Board of Commissioners, while the interest of the State has been subserved, and the unfortunate victims of insanity carefully and liberally cared for.

The grounds have been much improved, and the farm well cultivated and made to yield a nett profit of more than six thousand dollars per annum.

To defray the current expenses of the Hospital during the years 1865 and 1866, it is recommended that there be appropriated the sum of \$120,000. Considering the expenditures which must necessarily be made, and the high prices which have to be paid for every article of merchandise purchased for the use of the Hospital, this sum is believed to be not more than adequate to meet the legitimate expenses of the coming two years. And it is further recommended that for repairing and repainting the woodwork on the main building, and for procuring engine hose to guard against heavy loss by fire, that the sum of \$4,000 be appropriated. The old building, between the engine house and the main Hospital building, should be removed, and a new and substantial one erected in its stead. It is at this time held up by props to some extent, and is totally unsafe for occupation for the purposes for which it was intended. The walls are cracked and giving way, and unless removed soon, will fall down. To remove this building, and erect a new one in its stead, will require the sum of \$20,000, which the Committee recommend be appropriated for that purpose.

To relay floors in wards and replaster ceiling, the sum of \$1,500 will be required and \$2,000 more should be appropriated for the purchase of iron bedsteads, &c., to be used in the place of wooden ones now in use, and which the Committee recommend be removed from the building.

H. J.—16

The erection of the north wing of the Hospital building is a matter of much interest to the people of the State, and the subject has received the careful consideration of the Committee. That more room is required admits of no kind of doubt. The present accommodations of the Hospital are totally inadequate to meet the demands and necessities of the State, in this respect. The Superintendent of the Hospital in order to learn correctly the number of the insane in the State, issued, in July last, a circular to all the County Sheriffs, requesting them to inform him of the number of the insane confined in the jails of their respective counties, the number confined in county poor houses, the number provided for by the relatives and confined at home, the number running at large, and the number sent from the State to other Institutions.

The Superintendent reports that about half the counties were heard from and assuming that those not heard from are proportionately in the same condition as those which did report, the number of insane is approximately ascertained as follows:

The number confined in county jails 22; the number confined in county poor houses 300; the number provided for by relatives and confined at home 288; the number running at large 112; the number sent from the State to other institutions 12; to which add the number in the Hospital for the Insane here (295) and the aggregate number is 1029. The north wing, which it was intended to erect in the beginning according to the original plan of the Hospital, will in its completion, accommodate about one hundred patients. Even this additional room will only afford inadequate accommodation for pressing applications for recent cases. In view of the fact that so many of these unfortunate victims of insanity are confined in jails, poor houses or hovels, in the different parts of the State, many of them living in their own filth and excluded from that attention which humanity demands they should receive from the State, the Committee recommend the favorable consideration of the appropriation for constructing this additional building. In the judgment of the Committee the erection of this work is absolutely required to meet the necessities of the State in this respect. It is recommended that \$90,000 be appropriated for this purpose. It is further recommended that the Committee of Ways and Means be instructed to inquire into the expediency of assessing a special tax annually of fifteen cents on one thousand dollars of taxable property in the State for five years to come, the proceeds of which taxation to constitute a fund at the end of that time for the construction of such Hospital buildings as will accommodate the whole number of insane persons within the limits of the State and report by bill or otherwise.

This revenue would amount to about one hundred thousand dollars per annum, and would, at the expiration of the time stated, constitute an ample fund for the purposes suggested.

Certainly, the most avaricious tax-payer would scarcely object to so trifling an tax for so philanthropic a purpose.

## DEAF AND DUMB INSTITUTE.

The Committee reports this institution in excellent condition and commend its Superintendent for his great care over the pupils under his charge, and his economical and skillful management of all its departments. His success and that of those associated with him as teachers of the deaf and dumb has been of the highest character.

The work-shops are carried on as usual, and all considered to be essentially necessary in the education of the male pupils, in fixing habits of industry and preparing them for the active duties of life after leaving school. In a pecuniary point of view, the shops have been as successful as in any former year. The building used for the cabinet shop was not originally intended for that business, nor is it adapted for the purpose for which it is used. The floor below is open, there is no ceiling overhead, and the roof, from a defect in the framing, is giving way, so that the building is in danger of falling down. The building should be remodelled, and an additional story added, to furnish proper facilities for carrying on the business. The unsafe condition of the building, as well as the want of additional room, requires that this improvement should be made at the earliest practicable moment. The appropriation of six thousand dollars is recommended for this purpose. To defray the current expenses of the years 1865 and 1866, it will require an appropriation of \$75,000, which it is recommended be made for that purpose.

The farm of the Institute consists of about 160 acres of land, the greater part of which is of no value to it, and yields but little income. It is recommended that the Trustees be empowered to make sale of all this farm, with the exception of forty acres, including the grounds on which the Institute stands, and that they further be empowered to sell such lands in lots which will bring the largest amount of money on sale, and that the proceeds of the sale be paid into the State treasury, to be used as the funds of the State.

## INSTITUTE FOR THE EDUCATION OF THE BLIND.

The Superintendent of this Institute devotes much labor to its management and control, and all its departments are in excellent condition. There are about one hundred pupils in the Institute, who are well trained and cared for, and whose every interest is jealously guarded. The Committee take great pleasure in commending the Superintendent for his assiduous labors in discharging the duties of his official position.

To defray the current expenses of the years 1865 and 1866, it is recommended that an appropriation be made of \$55,000; also, \$20,000 should be appropriated for procuring a heating apparatus; for painting and repairing the building and constructing fence, \$2,000; for purchase of organ and pianos and school apparatus, \$2,000; also, for replenishing mattresses and bedding, \$2,000.

It is recommended, also, that \$4,000 be allowed for clothing for

each person in all cases where clothing has to be furnished to pupils of the Blind and Deaf and Dumb Institutes, and to inmates of the Insane Hospital, and that such sum be collected from the county from which said pupil or inmate came, in the manner prescribed by law.

#### HOUSE OF REFUGE OR CORRECTION.

The following resolution passed the House :

*Resolved*, That the Committee on Benevolent and Scientific Institutions be instructed to inquire into the expediency of establishing by law a house (or institution) for the correction of juvenile offenders, and report by bill or otherwise.

The Committee have considered the subject matter of the resolution and recommend the establishment for the correction of juvenile offenders to the favorable consideration of both branches of the Legislature.

#### SALARIES OF SUPERINTENDENTS.

The Committee recommend that the salaries of the Superintendent be allowed as follows; and that they be drawn from the funds appropriated to meet the current expenses of the Institutions and Hospitals for the insane.

Superintendent of Hospital for the Insane.....	\$2,000 00
Superintendent of Deaf and Dumb Institute.....	1,500 00
Superintendent of Blind Institute.....	1,500 00

Which,

On motion by Mr. Meredith,

Was laid on the table, and five hundred copies ordered to be printed.

Mr. Gregory, of Warren, from the Committee on the Statutes of Gavin & Hord, made the following report :

MR. SPEAKER :

The Select Committee to whom was referred the resolution of Mr. Gregory, of Warren, to inquire into the probable cost of procuring the copyright of the last edition of Gavin & Hord's Statutes, and the publication of a sufficient number thereof, by authority of law, to supply the wants of the State; and also the probable cost of a new revision of the Statutes of the State, and the publication thereof, beg leave to report that they have consulted with Messrs. Gavin & Hord; that they have instructed your Committee to report to this House that they will sell to the State their copyright of their stereotype, and the

plates of their last edition of Gavin & Hord's Statutes of the State, for the sum of seven thousand five hundred dollars, which includes the supplement, embracing all the laws except those to be passed at the present session. Your Committee further report that Messrs. Gavin & Hord feel that, in this arrangement, they ought to be allowed the additional sum of one thousand dollars for the work by them performed in the revision of the Statutes.

Your Committee would further state that they are informed by Mr. Hord, that the stereotype of their Statutes would cost to-day the sum for which they would furnish the same. Your Committee would further report that, in their opinion, the Statutes of the State should be revised, or the Legislature should accept the proposition of Messrs. Gavin & Hord, and then by enactment of law adopt the addition of Gavin & Hord's Statutes in place of said revision.

Your Committee are of the opinion that a large amount of money would be saved to the State by accepting the proposition of Messrs. Gavin & Hord, for by that means all the expenses of a revision Committee, and other expenses attending the same, would be saved to the State. That the printing of said Statutes would cost less to the State by adopting the plan suggested, than an entire new revision of the Statutes.

Your Committee can not accurately state the number of Statutes which would be required to supply the wants of the State for all purposes, but as many would be required under one system as the other. Your Committee respectfully submit to the House, for its action, such course as they may deem to the best interest of the State.

All of which is respectfully submitted.

Mr. Gregory, of Warren, moved to lay the report on the table.  
Which was not agreed to.

Mr. Brown moved to refer to the Committee on the Judiciary.  
Which was agreed to.

The Judiciary Committee asked and obtained leave to sit during the morning session.

Mr. Humphreys, from the Joint Special Committee, to whom was referred the accounts of the Governor, made the following minority report:

MR. SPEAKER:

The undersigned, members of the House, and members of a Joint Committee appointed by the Senate and House of Representatives, to investigate the receipts and expenditures of the Governor, respectfully ask leave to submit the following minority report:

Owing to the phraseology of the resolution under which this Committee was appointed, we were only empowered to investigate the

books, vouchers, &c., in the Bureau of Finance, and to report as to the correctness of the same. We therefore admit that, from an inspection of said books and vouchers, it appears that the same have been correctly kept; yet we have no evidence of the fact, except said books and vouchers themselves. But while we concur in the majority report, so far as the books and vouchers are concerned, yet we wish it to be distinctly understood that we emphatically dissent from the recommendation contained in said majority report. We are decidedly opposed to the assumption by the State of the two hundred and fifty thousand dollars received by the Governor from the General Government. We are opposed to the refunding of the one hundred and thirty-five thousand dollars, borrowed by the Governor from counties, corporations, &c., with interest thereon, from the date of repayment, for the reason that at the date of the receipt of said money the State had ample means in her treasury to defray the expenses of the State Government, and all other legitimate expenses; that it was the duty of the Executive, when the last Legislature adjourned without having made the necessary appropriations, to convene that body in extra session, that the necessary funds might have been provided to enable the Governor to administer the financial affairs of the State according to law; whereas, we contend, that the acts of the Executive herein are not only without the sanction of law, but are, in our estimation, a direct and dangerous usurpation of power, unwarranted by the Constitution or any law of the State. We are further opposed to the recommendation that the Governor hand over to the Auditor of State all books, vouchers and claims in said Finance Bureau, and that the same be recognized as the act of the State. And we recommend that the Legislature refuse to concur in any further recommendation contained in said majority report, for the reason that in the acts of the Governor herein we recognize the adoption of a dangerous and unwarranted precedent, which, if followed by future Executives, may result in the overthrow of the Legislature and the Judiciary, and which may place the liberties of the people, and the entire control of the State Government in the hands of tyrants and usurpers. Wherefore, we ask that the majority report herein be laid on the table, and this minority report be adopted in lieu thereof.

JOHN M. HUMPHREYS,  
SAMUEL A. SHOAFF.

On motion,

The report was laid on the table under the order of yesterday.

Mr. Henricks offered the following resolution:

*Resolved*, That all motions and resolutions in relation to the present condition of the country, and all motions and resolutions proposing remedies therefor, or relating to National affairs, be referred to the Committee on Federal Relations, without debate until otherwise ordered.

Which was adopted.



Mr. Rhoads, from the Joint Committee on Enrolled Bills, made the following report :

MR. SPEAKER :

The Joint Committee on Enrolled Bills now report, that on the 31st day of January, 1865, they presented to his Excellency, O. P. Morton, Governor of the State, enrolled House Joint Resolution No. 7, the same being "A Joint Resolution instructing our Senators, and requesting our Representatives in Congress, to endeavor to obtain an appropriation for the improvement of the Harbor at Michigan city."

Which,

On motion,

Was concurred in.

Mr. Shuey offered the following resolution :

*Resolved*, That the use of this Hall is hereby tendered to the Friends of Temperance in this city, for a Temperance meeting on Friday evening next.

Which was adopted.

Mr. Trusler introduced

House bill No. 94—and abstract. A bill for the organization and regulation of the Militia of the State of Indiana; dividing the same into active Militia and Militia of Reserve, and prescribing penalties for violation of said regulations, and providing for the election and appointment of officers, and defining the duties of military and civil officers in relation thereto, and providing for Courts Martial and Military Encampments, and instruction in military tactics, and making regulations for supporting said Militia, and repealing all laws heretofore enacted on the subject, saving certain acts therein named, and declaring an emergency for the immediate taking effect hereof.

Mr. Buskirk moved that it be deemed expedient to suspend the Constitutional Rule, requiring the reading of bills on three several days, and that House bill No. 94, be read a first time by its title.

Those who voted in the affirmative were,

Messrs. Banta, Beckett, Bonner, Boyd, Branham, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Kilgore, Lasselle, Lemon,

Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Olleman, Osborn, Perigo, Puëtt, Reece, Rhoads, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Steward, Stivers, Stringer, Stuckey, Sullivan of Scott, Trusler, Upson, Veach, White, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—73.

Those who voted in the negative were,

Messrs. Abbett, Bird, Brown, Collins, Colover, Glazebrook, Hargrove, Richards and Thatcher—9.

So it was deemed expedient to suspend the Rule, and House bill No. 94, was read a first time by the title.

Mr. Trusler moved to lay the bill and abstract on the table, and print 300 copies of each.

Which was agreed to.

Mr. Griffith offered the following resolution :

*Be it resolved by the House of Representatives, (the Senate concurring,) that the use of the Chapel, attached to the Asylum for the Blind, be granted to the congregation of Grace Church, of the denomination of Christians known as the Protestant Episcopal, for the space of three months ; allowing them to assemble for the purpose of Christian worship once upon each Sabbath within said period : Provided said permission comports with the convenience of the Superintendent and inmates of said Institution.*

Mr. Brown moved to refer the resolution to the Committee on Benevolent and Scientific Institutions.

Which was agreed to.

Mr. Shoaff of Allen, offered the following resolution :

*Resolved, That the Committee on Education be instructed to inquire into the expediency of so amending the present School law, as to authorize the German language to be exclusively taught in certain schools in the several townships, towns, and cities of this State, where a sufficient number of the inhabitants of any township, town or city, entitled to the benefits of the present school law, may desire it.*

Mr. Griffith moved to refer the resolution to the Committee on Education.

Which was agreed to.



## INTRODUCTION OF BILLS ON FIRST READING.

Mr. Branham introduced House bill No. 95. A bill to enable Railroads to make local alterations in their lines in certain cases.

Which was read a first time, and,

On motion,

Referred to the Committee on Railroads.

Mr. McVey introduced House bill No. 96. A bill to provide for the call of a convention of the people of the State of Indiana, to revise, amend, or alter the Constitution of said State ; to defray the expenses of said Convention ; to submit the Constitution, as amended, to a vote of the people, and all other things necessary to give force to the act.

Which was read a first time, and,

On motion,

Referred to the Committee on the Judiciary.

Mr. Wright offered the following resolution :

WHEREAS, the gentleman from Monroe county, did, on the 26th day of January, make an unnecessary exposure of the financial affairs of his, and the members of this House, calculated to impair and injure the good credit with their landlords and boarding-house keepers, and,

WHEREAS, the Chairman of the Committee on Ways and Means, instigated and moved by the Devil—not having the fear of landlords and boarding-house keepers before his eyes—withholds the means necessary to sustain the good credit of the members of this House, therefore,

*Resolved*, That the member from Monroe, and the member from Jefferson, deserve the censure of this House.

Which,

On motion by Mr. Zeigler,

Was laid on the table.

Mr. Burnes introduced,

House bill No. 97. A bill relative to the salaries of Judges of the Circuit Court and the Judges of the Courts of Common Pleas, and providing the manner of paying the same.

Which was read a first time, and,

On motion,

Was referred to the Committee on Fees and Salaries.

Mr. Pettit offered the following resolution :

*Resolved*, That the Constitution of the State, without amendment, gives ample power for providing by law, for officers and soldiers of the State, in the military service of the United States, (except those in the regular service of the United States or its allies,) to vote at all elections; and it is hereby made the duty of the Committee on Elections to report a bill which shall provide for their voting at such elections, and to punish those who shall prevent, hinder or defraud them in the exercise of this right.

Which was laid on the table.

Mr. Miller, of Tippecanoe, introduced,

House bill No. 98. A bill for the relief of Thomas Coleman.

Which was read a first time, and,

On motion,

Was referred to the Committee on Claims.

Mr. Stringer introduced,

House bill No. 99. A bill to amend the twenty-second, seventeen and ninety-first sections of an act to provide for the valuation and assessment of real and personal property and the collection of taxes in the State of Indiana for the election of Township Assessors and prescribing the duties of Assessors, Appraisors of real property, County Treasurers, Auditors and of the Treasurer and Auditor of the State, approved June 21st, 1852, and declaring an emergency for the immediate taking effect of this act.

Which was read a first time.

Mr. Milroy moved to refer the bill to the Committee on Rights and Privileges of the Inhabitants of the State.

Which was not agreed to.

Mr. Buskirk moved that it be referred to the Committee on Ways and Means.

Which was agreed to.

Mr. Zeigler offered the following preamble and resolution :

WHEREAS, Our Lunatic Asylum is so crowded that many who are entitled to a place within its walls cannot be admitted for the want of room, therefore,

*Resolved*, That the Committee on Benevolent and Scientific Insti-

tutions, be requested to take the matter into consideration and recommend some plan by which such persons may be provided for.

Which was referred to the Committee on Benevolent Institutions.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER :

I am directed by the Senate to return to the House of Representatives,

Enrolled Act of the House No. 46. An act to fix the times of holding the Circuit Courts in the Eleventh Judicial Circuit and to regulate the return of process in said Circuit.

Which has been signed by the President of the Senate.

Mr. Emerson introduced,

House bill No. 100. A bill to amend section 397 of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State; to abolish distinct forms of action at law and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18th, 1852.

Which was read a first time, and,

On motion by Mr. Emerson,

Was referred to the Committee on the Judiciary.

Mr. Miller of Clinton, introduced,

House bill No. 101. A bill to entitle County Recorders to their fees in advance and allowing them compensation for keeping up general indexes and entry book, and repealing all laws inconsistent therewith.

Which was read a first time, and,

On motion by Mr. Miller,

Was referred to the Committee on Fees and Salaries.

Mr. Griffith introduced,

House bill No. 102. A bill amendatory of the fifth, thirty-fifth and forty-second sections, and supplemental to an act, entitled "an act regulating general elections, and prescribing the duties of officers in relation thereto, approved June 7th, 1852," so as to allow citizen soldiers of the State of Indiana, in the service of the United States

Government, the privilege of voting at all general elections and prescribing the manner of so doing.

Which was read a first time, and,

On motion,

Was referred to the Committee on the Judiciary.

Mr. Bonner introduced

House bill No. 103. A bill to amend an act entitled, "an act to provide for the valuation and appraisement of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State," approved June 21, 1852.

Which was read a first time, and,

On motion by Mr. Buskirk,

Was referred to the Committee on Ways and Means.

Mr. Kilgore offered the following resolution :

*Resolved*, That the State Printer be ordered to print, for the use of the Governor and the members of the House of Representatives, eight thousand copies each, of such of the accompanying documents to the Governor's Message as have not heretofore been printed; and that the State Librarian be directed, to forward to each member of the House, an equal portion of the same as fast as they may be delivered to him.

Mr. Milroy moved, that when printed they be put in envelopes and stamped, for the use of the members.

Which was not agreed to.

The resolution was then adopted.

Mr. Gregory of Montgomery, introduced

House bill No. 104. A bill to distribute the interest of the Agricultural Land grant.

Which was read a first time, and,

On motion,

Referred to the Committee on Education.

Mr. Lasselle introduced

House bill No. 105. A bill to amend section forty-six of an act entitled, an act to provide for a general system of Common Schools, the officers and their respective powers and duties, and matters properly connected therewith, and for the establishment and regulation

of Township Libraries, and to repeal all laws inconsistent therewith, approved March 11th, 1861.

Which was read a first time, and,

On motion by Mr. Rhoads,

Was referred to the Committee on Education.

Mr. Cook introduced

House bill No. 106. A bill to authorize the construction of warehouses for the inspection, storage and sale of tobacco.

Which was read a first time, and,

On motion,

Was referred to the Committee on Manufactures and Commerce.

Mr. Church introduced

House bill No. 107. A bill to authorize Railroad Companies to alter and determine the number of their Directors; to authorize Boards of Directors to fill vacancies occurring in their Boards; to provide for the meeting of the Stockholders, Officers, and Directors of consolidated Companies in and without the State; to authorize consolidated Railroad Companies to consolidate again; to increase the capital stock of consolidated Railroad Companies; to authorize them to borrow money and to secure the payment thereof; and to explain and declare the powers of consolidated Railroad Companies formed by the consolidation of two or more Railroad Companies under the laws of this State.

Which was read a first time, and,

On motion by Mr. Church,

Was referred to the Committee on Railroads.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bill thereof:

Engrossed Senate bill No. 115. An act to amend section 11, of „an act concerning County Prisons,” approved May 27th, 1852;

In which the concurrence of the House is respectfully requested.

Mr. Puett introduced

House bill No. 108. A bill to amend thirty-fifth section of the act entitled, “an act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities;

prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 9, 1857.

Which was read a first time, and,

On motion,

Was referred to the Committee on Corporations.

Mr. Sullivan, of Scott, introduced

House bill No. 109. A bill to amend the 23d section of an act entitled, an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribe the duties of Assessors, Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State, approved June 21st, 1852.

Which was read a first time, and,

On motion,

Referred to the Committee on County and Township Business.

Message from the Governor, by Mr. Sulgrove, his Private Secretary.

STATE OF INDIANA, EXECUTIVE DEPARTMENT, }  
Indianapolis, February 1, 1865. }

*To the Speaker of the House of Representatives:*

SIR: I am directed by the Governor to inform the House that he has this day approved enrolled bill of the House No. 46, entitled, "An Act to fix the times of holding the Circuit Court in the Eleventh Judicial Circuit, and to regulate the return of process in said Circuit, and declaring an emergency," and that the same has been filed in the office of the Secretary of State.

Message from the Senate by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following concurrent resolution, to-wit:

WHEREAS; The laws now in force in the State of Indiana, on the subject of Insurance Companies, need such general revision as will protect the people of the State against fraud, and irresponsible organizations; therefore,

*Be it Resolved by the Senate (the House concurring therein), That a Committee of three on behalf of the Senate, to act in conjunction*

with a like Committee on behalf of the House, to whom all bills now introduced, or that may hereafter be introduced, be referred, and that said Committee is hereby instructed to examine the laws now in force relative to Insurance Companies.

In which the concurrence of the House is respectfully requested.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the amendment of the House to engrossed Senate bill No. 6, entitled, "A Bill to amend an act, entitled, an act to amend section 7 of an act entitled an act to fix the times for holding the Common Pleas Court in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Court returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith, approved March 5th, 1859, so as to change the times of holding said Court in Jackson and Bartholomew counties, and declaring when this act shall take effect, approved March 9th, 1861, so as to change the time of holding said Court in Jennings and Bartholomew counties, extending the times for holding said Court therein, requiring all persons to take notice thereof, providing for the return of process, and declaring when this act shall take effect."

Mr. Newcomb, by unanimous consent, made the following report from the Committee on the Judiciary, to whom was referred House bill No. 14:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 14, entitled, "An Act for the relief of families of soldiers and marines in the State and United States Service, and of those who have died or been disabled in such service, and prescribing the duties of certain officers therein named," have had the same under consideration, and direct me to make the following report:

1. Amend line 2, Sec. 1 by adding after the word "relief," the words, "and support," and after the word "soldiers," in the same line, the word, "seamen."

2. Amend line 4, Sec. 1, by inserting after the word "disabled," the words "in the line of duty."

3. Amend line 5, by inserting the words "each of" before the first word of said line.

4. Amend line 6 by striking out "five" and inserting "four" in its place, so as to make the tax four instead of five mills.

5. Amend line 6, Sec. 5, by inserting the word "seamen" after the word "soldiers."

6. Amend Sec. 8, line 2, by inserting the word "soldier" after the words "seamen," and striking out the word "and."

7. And amend line 11, by inserting the word "seamen" after the word "soldier."

Add the following sections :

The provisions of this act shall not apply to the family of any commissioned officer, except in cases where such officer is a prisoner in the hands of the enemy, in which case the family of such officer shall, during the period of his captivity, receive the same amount of the fund herein provided, as the families of other soldiers.

9. Sec. — The Board of Commissioners of any county, may in their discretion, appoint an agent in each township to disburse the money herein provided, who shall perform all the duties required of township Trustees, under the provisions of this act, and shall give a bond in a sum equal to the amount likely to come into his hands during the year for which he is appointed, with sureties to the acceptance of such Commissioners.

10. Amend section 7 by adding thereto the following: Provided that any insane or invalid child over twelve years of age, of any such soldier, seaman or marine, shall be paid the same amount as if such child were under the age of twelve years, but such payment shall not be made until so ordered by the Board of County Commissioners of the proper county on an investigation of each application in favor of such child over the age of twelve years.

11. Further amend section 7 by inserting after the word "aforesaid" in line 8 these words: "those who have not otherwise sufficient means for their comfortable support" such fact to be determined by the disbursing agent, but any applicant dissatisfied with his decision may refer the same to the Board of County Commissioners whose determination shall be final.

Further amend the bill by adding the following section :

12. The payments provided for in this act shall be made directly to the beneficiaries hereof, if at the time above the age of eighteen years; if under eighteen years of age, first to the parent, and if there be no parent, next to the legally appointed guardian of such beneficiaries; and if there be no parent or guardian legally appointed, then to any adult person in whose families such beneficiaries shall



then be living. And the persons so receiving the same, are hereby made liable to such other beneficiaries for the faithful application of the means so received, to the uses and benefits of said beneficiaries.

And when so amended, or without such amendments, the Committee recommend the passage of the bill.

Mr. Brown moved to suspend the order of business and take up House bill No. 14, with amendments.

Which was agreed to.

House bill No. 14. A bill for the relief of the families of soldiers and marines, in the State and United States service, and of those who have died or been disabled in such service, and prescribing the duties of certain officers therein named.

The first and second amendments were read, and,

On motion,  
Concurred in.

The third amendment was read.

The question being on the adoption of the same,

Mr. Stringer moved to amend by striking out "four" and inserting "two."

Which was not agreed to.

The amendment of the Committee was then concurred in.

The fourth, fifth, sixth, seventh, eighth, ninth and tenth amendments were concurred in.

Leave of absence was granted to Messrs. Harrison and Howard

Mr. Rhoads, from the Joint Committee on Enrolled Bills, made the following report :

MR. SPEAKER :

The Joint Committee on Enrolled Bills now report that, on the first day of February, 1865, they presented to his Excellency, O. P. Morton, Governor of the State, "Enrolled act No. 46, House of Representatives," for his approval and signature.

Mr. Lockhart moved that, when the House adjourns, it meet again at 2 o'clock P. M.

Which was agreed to.

H. J.—17

Pending the consideration of the amendments to House bill No. 14,

The House,

On motion, adjourned.

2 O'CLOCK, P. M.

The House met.

The Speaker ordered a call of the House, with the following result :

Messrs. Abbett, Banta, Beckett, Bonner, Branham, Burwell, Buskirk, Chambers, Church, Colover, Cox, Croan, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Lassel, Lemon, Lockhart, Lopp, Major, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Reese, Richards, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Steward, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—67.

The pending question, on adjournment, was the consideration of the amendments reported by the Committee on the Judiciary to House Bill No. 14.

Amendment No. 11 was read.

Mr. Chambers moved to amend by striking out "who have not the means of a comfortable support," and insert "who have not taxable property to an amount exceeding three thousand dollars."

Mr. Brown moved to lay the amendment of Mr. Chambers on the table.

Messrs. Brown and Kilgore demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Banta, Beckett, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Church, Coffroth, Collins, Colover, Cook, Cox, Croan, Crook, Ferris, Foulke, Glazebrook, Gregory of Warren,

Gregory of Montgomery, Griffith, Groves, Hargrove, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Lemon, Lopp, Major, Meredith, Miller of Clinton, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Puett, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Steward, Stivers, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, White, Whiteside, Willis, Woodruff, Woods, Wright and Zeigler—75.

Those who voted in the negative were,

Messrs. Abbett, Bird, Chambers, Emerson, Goodman, Henricks, Kilgore, Lockhart, Miller of Tippecanoe, Sim and Stringer—11.

So the amendment to the amendment was laid on the table.

Mr. Chambers moved to lay the amendment, as reported by the Committee, on the table.

Messrs. Chambers and Whiteside demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bonner, Branham, Burwell, Chambers, Emerson, Goodman, Henricks, Hogate, James, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Olleman, Osborn, Reese, Rhoads, Sabin, Sim, Steward, Stringer, Stuckey, Trusler, Whiteside, Willis, Woods, and Mr. Speaker—28.

Those who voted in the negative were,

Messrs. Abbett, Banta, Beckett, Bird, Boyd, Brown, Burnes, Burton, Buskirk, Church, Coffroth, Collins, Colover, Cook, Cox, Croan, Ferris, Foulke, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Hershey, Higgins, Hoover, Humphreys, Hunt, Lemon, Lopp, Miller of Clinton, Milroy, Montgomery, McVey, Newcomb, O'Brien, Patterson, Perigo, Puett, Rice, Richards, Richardson, Riford, Roach, Shoaff of Allen, Shoaff of Jay, Shuey, Stivers, Sullivan of Scott, Thatcher, Upson, Veach, White, Woodruff, Wright, and Zeigler—57.

So the motion to lay on the table did not prevail.

The question being on adopting the eleventh amendment reported by the Committee,

Messrs. Brown and Griffith demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Banta, Beckett, Bird, Boyd, Brown, Burnes, Burton, Buskirk, Church, Coffroth, Collins, Colover, Cook, Croan, Crook, Ferris, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Hershey, Higgins, Hoover, Humphreys, Hunt, James, Lemon, Lopp, Meredith, Miller of Clinton, Milroy, Montgomery, McVey, Newcomb, O'Brien, Osborn, Patterson, Perigo, Puett, Rice, Richards, Richardson, Riford, Roach, Shoaff of Allen, Shoaff of Jay, Shuey, Stivers, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, White, Woodruff, Wright, and Zeigler—62.

Those who voted in the negative were,

Messrs. Bonner, Branham, Burwell, Chambers, Cox, Emerson, Goodman, Henricks, Hogate, Kilgore, Lockhart, Major, Miller of Tippecanoe, Olleman, Reese, Rhoads, Sabin, Sim, Steward, Stringer, Whiteside, Willis, Woods, and Mr. Speaker—24.

So the amendment of the Committee was agreed to.

Amendment twelve was read, and,

On motion,

Was not agreed to.

Mr. Branham moved to strike out last word "to," and insert "from," in line 7, section 11, in the bill.

Which was agreed to.

Mr. Stringer offered the following amendment to the bill:

Amend section 1st, in sixth line, by striking out the word "four," and inserting "three." And in the sixth line, by striking out "one dollar" and inserting "fifty cents."

Mr. Meredith moved the previous question, which was seconded by the House.

The question being, shall the main question be now put?  
It was so ordered.

The question being on adopting the amendment offered by Mr. Stringer,

Mr. Wright called for a division of the question.  
Which was ordered.

"The question being on striking out the word "four," and inserting "three," in section 1st, sixth line,

Messrs. Stringer and Wright demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Beckett, Bird, Brown, Burnes, Burton Buskirk, Coffroth, Collins, Colover, Crook, Croan, Emerson, Ferris, Goodman, Glazebrook, Gregg, Groves, Hargrove, Humphreys, Hunt, James, Lemon, Lopp, Major, Miller of Tippecanoe, Milroy, O'Brien, Osborn, Patterson, Perigo, Puett, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Shoaff of Allen, Shoaff of Jay, Shuey, Stivers, Stringer, Stuckey, Sullivan of Scott, Trusler, Veach, White, Woodruff, Wright and Zeigler—52.

Those who voted in the negative were,

Messrs. Banta, Bonner, Boyd, Branham, Burwell, Chambers, Church, Cox, Crook, Foulke, Gregory of Montgomery, Gregory of Warren, Griffith, Henricks, Hershey, Hogate Hoover, Lockhart, Meredith, McVey, Newcomb, Olleman, Sabin, Sim, Steward, Trusler, Upson, Whiteside, Willis, Woods and Mr. Speaker—31.

So the amendment was agreed to.

The question then recurring on the adoption of the last clause of the amendment,

Messrs. Stringer and Wright demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Beckett, Bird, Burnes, Church, Collins, Colover, Cook, Emerson, Ferris, Goodman, Glazebrook, Hargrove, Humphreys, Hunt, Lemon, Lopp, Milroy, O'Brien, Osborn, Patterson, Perigo, Puett, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Shoaff of Jay, Stringer, Sullivan of Scott, Thatcher, Veach, White, Willis and Zeigler—38.

Those who voted in the negative were,

Messrs. Banta, Bonner, Boyd, Branham, Brown, Burwell, Chambers, Coffroth, Cox, Croan, Crook, Foulke, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, James, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Stivers, Shoaff of Allen, Shuey, Sim, Stewart, Stivers, Stuckey,

Trusler, Upson, Whiteside, Woodruff, Woods, Wright and Mr. Speaker—45.

So the amendment was not agreed to.

Mr. Branham moved that the bill be considered as engrossed, and read a third time now.

Which was agreed to.

House bill No. 14, as amended, was then read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Banta, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Chambers, Church, Cook, Cox, Croan Crook, Emerson, Ferris, Foulke, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, James, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Perigo, Reese, Rhoads, Rice, Richardson, Riford, Sabin, Shoaff of Jay, Shuey, Sim, Steward, Stivers, Stringer, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, White, Whiteside, Willis, Woodruff, Woods, Wright Zeigler and Mr. Speaker—62.

Those who voted in the negative were,

Messrs. Abbott, Beckett, Bird, Burton, Collins, Glazebrook, Hargrove, Humphreys, Hunt, Lemon, Lopp, Milroy, O'Brien, Osborn, Patterson, Puett, Roach and Stuckey—18.

Messrs. Buskirk and Coffroth not voting on the passage of the bill,

Mr. Newcomb moved that they now be called upon to record their votes.

Mr. Brown moved to amend by requesting them to vote.

The Speaker put the question,

Will the House entertain the motion of Mr. Newcomb?

It was agreed to.

Mr. Newcomb then accepted the amendment of Mr. Brown.

Mr. Brown then moved to lay the entire subject on the table. Which was agreed to.

The question being, shall the title as read stand as the title of the bill?

Mr. Newcomb moved to amend the title by inserting after the word soldiers, in the first line, the word "seamen," and further, by striking out after the word "and," in the third line, the word "of."

The title as amended was then adopted as the title of the bill.

So the bill passed.

Ordered, that the Clerk inform the Senate.

Protest of A. J. Beckett, Dubois Co., Ind., on the passage of House bill No. 14:

HOUSE OF REPRESENTATIVES, }  
Indianapolis, Ind. Feb. 2d, 1865. }

To the passage of the above bill I was opposed, both in its original form and with amendments as it has passed this House, and as the general current of the House was in favor of a law of some kind upon this subject, and as the previous question was moved before I had an opportunity to express my reasons to the House and my constituency, for being opposed to the passage of any measure upon this subject, and especially this bill, I submit now, my protest against the same, with my reasons why I voted against it. The bill proposes to levy a tax of three mills upon the dollar which is equal to 30 cents on the one hundred dollars, and \$1 00 on each poll, to be appropriated to the relief of soldiers' families, as in the bill provided. It prescribes certain duties to be performed by certain county officers, such as the County Auditor, County Commissioners and Township Trustees, &c., to carry out the spirit of the act, and in case of the Township Trustees neglect, refusal, mal-conduct or disability to do the duties that devolve upon him, the County Commissioners shall appoint not more than two persons to perform the duties in his stead, and in case the Commissioners fail to do *their* duties, the Governor of the State, who is to be the judge, is to appoint one or more suitable persons to discharge their duties. The bill does not propose to give to all soldiers' families a like sum, according to the number in the family. It is not a bill to raise the wages of soldiers in the service of their country, but it only provides for those that are unable—those that are in want of assistance from some source, to help support their families while they are absent in the field, or the families of those that have died or have been killed in the service, who are not able to sustain themselves.

It is a charity, a gift to those patriotic men that are in the field, as it has been eloquently said, fighting for their country, an assur-

ance that the family of the soldier is cared for by the patriotic Legislature of Indiana. But there is one class of soldiers, however poor they may be, are not entitled to one cent of assistance by this bill. A poor substitute who has gone into the army for a small sum, or who has squandered his means, or through misfortune has lost them, and who may be lying in a hospital, sick or wounded, can know by reading the journals of this House, that if his family is in need, this law will give him no assistance; and while his wife's neighbors draws \$8.00 per month and lives comfortably, *his* wife may go to the alms house. But it stops not here—if he should die from disease, or be shot down upon the battle field while mounting the enemy's works, it is all the same, it gives him and his bereaved wife no assistance.

I say then that the bill is unjust in this particular, and was voted for, and supported by many, as I believe, to make a *patriotic record* at the expense of the peoples' pockets, and without regard for the wants of those that are in need.

Another objection: section ten gives the County Commissioners power to set in judgment upon the competency of the Township Trustees of the different townships in the county, and they can upon very slight evidence, or upon no evidence, declare them, or any one of them, incompetent to discharge a part of their duties prescribed by law.

The Governor also sits in judgment upon the County Commissioners and declares them unfit persons to perform their duties, and he has power, under this act, to turn a man out of office or declare that he is unfit to discharge its duties whom the people have elected.

The bill will operate unjustly and unequally upon the people. The law of 1861 gives power to the County Boards to make appropriations from time to time for the relief of families of volunteers. Under that law, each county in the State could and would render all assistance necessary for the relief of families of soldiers. I say they do do it, and when I say this I speak only for my own county, whose vote I cast here, and who I represent. And while that is the case—while each county can take care of their own needy, is it right for us to take that out of their hands? Levy a tax, make a general State fund, and then divide it out among the counties, not in proportion to the amount paid in, but in proportion to the number of soldiers' families in each county, without any reference to their being needy, to be distributed among the needy of that county.

Under this bill, if it should become a law, the money raised by this taxation will be taken away from the industrious counties—the more rural and agricultural districts—and applied to the maintenance of an indolent class of persons—(I do not say they will all be so)—who, if they do not now live in and about towns and cities, will, as soon as this bill becomes a law. A class that are not wholly dependent now, but who will be as soon as this bill becomes a law, and they know that a living is in store for them without exertion on their part. Another objection: It will cause men in the army, who send their money home to their families, to be negligent and careless about giv-



ing their families assistance, knowing that they will be cared for; hence, a great increase on the rolls, to be paid out of this fund.

Finally, I wish to say that I do not vote against the bill because I am not willing to assist the needy, nor because I am not a soldier's friend, nor because I do not believe my constituency are friendly to the soldiers. The number of volunteers that we have sent into the field nobly testifies in favor of my county, and the promptness with which our County Commissioners have met the wants of all soldiers' families, tell that none shall want among us. We ask no other part of the State to help us, and we would beg to be excused from helping those whom we do not know merit it.

We should be careful how we trifle with the people's money, and should not apply it in a way that would beget more charges upon them. I am opposed to any legislation upon the subject. It is running us into an agrarian doctrine, to which I am opposed.

A. J. BECKETT,

*Member from Dubois County, Indiana..*

The Speaker announced the name of Mr. Willis to fill the vacancy in the Committee on Railroads, occasioned by the death of Mr. Shaffer.

Mr. Humphreys moved that when the House adjourn, it stand adjourned till 2 o'clock, P. M., to-morrow.

Which was not agreed to.

On motion by Mr. Kilgore,  
The House adjourned.

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THURSDAY MORNING, 9 o'clock, }  
February 2, 1865. }

The House met pursuant to adjournment.

The Speaker ordered a call of the House, with the following result:

Those who answered to their names were,

Messrs. Abbett, Banta, Bonner, Boyd, Branham, Brown, Burnes, Burton, Chambers, Church, Collins, Colover, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg,

Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Henricks, Hershey, Hogate, Hoover, Humphreys, Hunt, James, Kilgore, Lasselle, Lemon, Lopp, Major, Meredith, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Puett, Reese, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Shuey, Steward, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher, Upson, Veach, White, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—74.

There being a quorum present, the further call was dispensed with.

The Clerk proceeded to read the Journal, when,  
On motion by Mr. Boyd,  
The further reading of the Journal was dispensed with.

#### PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Meredith,

A remonstrance from certain citizens of Sullivan county on the subject of legalizing the County Commissioners in paying bounties to soldiers, &c.

Which,

On motion,

Was referred to the Committee on the Judiciary.

By Mr. Coffroth,

A petition urging the propriety and great necessity of the passage of an act fixing generally the standard of qualifications of practicing physicians and surgeons, and especially the conditions through which said qualifications may be known and determined, and providing for the enforcing of the same.

Which,

On motion by Mr. Coffroth,

Was referred to a Select Committee of five.

By Mr. Coffroth,

A remonstrance against a petition praying for the protection of society against unauthorized and incompetent practitioners of medicine, that legislation upon that subject is at the present time unwise and inexpedient.

Mr. Coffroth moved to refer said remonstrance to a select committee of five.

Mr. Burnes moved that it be referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

Which was not agreed to.

The question recurring on the motion by Mr. Coffroth, it was agreed to,

By Mr. Newcomb,

A claim of J. B. Osgood.

Which,

On motion,  
Was referred to the Committee on Claims.

By Mr. Newcomb,

The claim of William H. Roll and Smith, for papering, carpet, and curtains for the office of Superintendent of Public Instruction, per bill—\$81.88.

December 15th, 1862.

With the following certificate :

I certify the above bill to be correct, and payable from the next appropriation for contingent expenses of the department of Public Instruction.

SAMUEL L. RUGG,  
*Superintendent of Public Instruction.*

December 15th, 1862.

Which,

On motion,  
Was referred to the Committee on Claims.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Trusler, from the Committee on the Judiciary, made the following report.

MR. SPEAKER :

The Judiciary Committee, to whom was referred Senate bill No. 25, to amend section No. 76, of an act entitled, an act defining misdemeanors, and prescribing punishment therefor, approved January 14, 1852, would respectfully report the same back to this House, and recommend its passage.

On motion,

The report was laid on the table.

Mr. Trusler, from the same Committee, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 61, in relation to requiring Clerks and Auditors to keep double index of their Records, respectfully report the same back to this House, with the suggestion that such legislation is unnecessary, inasmuch as they are now bound to keep such Records indexed.

Which,

On motion,

Was laid on the table.

Mr. Trusler, from the same Committee, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No. 14, an act to amend an act entitled, an act in relation to County Treasurers, approved June 14th, 1852, respectfully report the same back to this House, and recommend its passage, with the following amendment:—after the word sureties, in the 14th line of the 1st section of said bill, “and all other officers and sureties whose bonds are approved by the County Commissioners.”

On motion,

The report was laid on the table.

Mr. Coffroth moved to reconsider the vote just taken, by which the report of the Committee on the Judiciary on House bill No. 61 was laid on the table.

Which was agreed to.

When,

On motion by Mr. Coffroth,

The bill was referred to the Committee on the Judiciary.

Mr. Whiteside, from the Judiciary Committee, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 65, beg leave to submit the following as their report:

Said Committee return said bill to the House, and ask that the same lie upon the table, inasmuch as no legislation upon the subject of assault is necessary, in view of a recent decision of the Supreme

Court of the State rendered in the case of Franklin Wolf vs. the State.

Which,

On motion,

Was laid on the table.

Mr. Trusler, from the Committee on the Judiciary made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred House bill No. 67, authorizing attorneys to hold liens on certain judgments, authorize me to report the same back to this House, with the recommendations that it be passed.

Which,

On motion,

Was laid on the table.

Mr. Trusler, from the same Committee, made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred House bill No. 64, to amend the 406th section of an act entitled, "An Act to simplify and abridge the rules and practice of Courts, &c.," respectfully report the same back to this House, and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Henricks, from the Committee on Banks, made the following report :

MR. SPEAKER :

The Committee on Banks, to whom was referred the Report of the Bank of the State, and the Reports of the several Branches thereof, have had the same under consideration, and have instructed me to report the same back to the House, and recommend that the same be laid on the table, and that 300 copies be printed.

Which,

On motion,

Was concurred in.

Mr. Gregory, of Warren, from the Committee on Education, made the following report :

MR. SPEAKER :

The Committee on Education, to whom was referred House bill

No. 82, offered by Mr. Meredith, of Vigo, concerning the creation of corporations for the purpose of maintaining high schools within the State, and giving the requisite powers to such corporations, beg leave to report, they have examined said bill, and they are very favorable to its passage. They therefore return said bill to the House, and recommend its passage.

On motion,  
The bill and report were laid on the table.

Mr. Gregory, from the Committee on Education made the following report:

MR. SPEAKER:

The Committee on Education, to whom was referred House bills Nos. 38 and 54, asking that section 82 of the School law of 1861 be so amended that County Auditors might be permitted to extend the amount of loans to one thousand dollars, instead of three hundred dollars, have had the same under consideration, and report that both bills ask for the same amendment. We therefore would report that, in our opinion, it would be to the benefit of the school fund to amend section 82, so that County Auditors might have the privilege of loaning school funds in any amount not exceeding one thousand dollars to one person. We therefore recommend the passage of House bill No. 38, and that House bill No. 54 receive no further action of the House.

Which,

On motion,  
Was laid on the table.

Mr. Henricks, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims to whom was referred the claim of Nelson Ferris, for the sum of three hundred and twenty-three dollars and thirty-eight cents, for expenses incurred by him in returning fugitives from justice to the State, have had the same under consideration and recommend that it be allowed and placed in the Specific Appropriation Bill for payment.

Mr. Henricks moved to refer the said claim to the Committee on Ways and Means.

Mr. Branham moved to amend the motion by ordering the same to be incorporated in the Specific Appropriation Bill.

Which was agreed to.

The report, as amended, was then referred to the Committee on Ways and Means.

Mr. Lockhart, from the Committee on Railroads, made the following report:

MR. SPEAKER:

The Committee on Railroads, to whom was referred House bill No. 89, have had the same under consideration, and have instructed me to report the same back and recommend its passage.

Which was laid on the table.

Mr. Lockhart, from the same Committee, made the following report:

The Committee on Railroads, to whom was referred House bill No. 75, entitled, "An Act to empower railroads to build branches to neighboring coal mines, have had the same under consideration and have instructed me to report the same back and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Stringer, from the Committee on Roads, made the following report:

MR. SPEAKER:

The Committee on Roads, to whom was referred House bill No. 15, introduced by Mr. Emerson, entitled, "An Act authorizing supervisors to remove fences standing near public highways on streams and water courses, and to turn pulic roads and highways, on water courses, to the rear of buildings, where such buildings stand too near the streams to give room for said roads or highways, and assess damages occasioned thereby, have had the same under consideration, and direct me to report the said bill back to the House and recommend its passage, without amendment.

Which,

On motion,

Was laid on the table.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 45, entitled, "An Act to legalize the acts of certain officers

in this State, who have entered into the military service and have accepted commissions in the armies of the United States, and whose duties have been discharged by deputies, during their absence in said service," have had the same under consideration and instruct me to report the same back to the House and recommend its passage.

Which,

On motion,

Was laid on the table.

#### BILLS INTRODUCED.

By Mr. Osborn,

House bill No. 110. A bill to amend the 5th section of an act, entitled, "An act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for violation thereof."

Which was read a first time, and,

On motion,

Was referred to the Committee on Temperance.

By Mr. Higgins,

House bill No. 111. A bill to amend the 42d section of an act, entitled, "An act to repeal all general laws now in force, for the incorporation of and to provide for the incorporation of cities, prescribe their powers and rights and the manner in which they shall exercise the same, and to regulate such other matters properly pertaining thereto," approved March 7, 1857.

Which was read a first time and,

On motion by Mr. Higgins,

Referred to the Committee on County and Township Business.

By Mr. Veach,

House Bill No. 112. A bill for the relief of A. W. Lowderwick, and authorize the transfer to him of certain land therein described.

Which was read a first time, and,

On motion,

Was referred to the Committee on Claims.

By Mr. Shoaff of Allen,

House bill No. 113. A bill to amend an act entitled, "an act to provide for a general system of Common Schools, the officers thereof and their respective powers and duties, and matters properly con-



nected therewith, and to establish township libraries, and for the regulation thereof," approved March 5th, 1855.

Which was read a first time, and,

On motion,

Was referred to the Committee on Education.

By Mr. Kilgore,

House bill No. 114. A bill to amend section 1, of an act entitled, an act relative to the salaries of public officers, and providing the means of paying the same, and reimbursing the State for increase of salaries, approved March 5th, 1859.

Which was read a first time, and,

On motion by Mr. Branham,

Referred to the Committee on Fees and Salaries.

By Mr. Hogate,

House bill No. 115. A bill accepting the provisions of an act of the United States of America, entitled, "an act donating lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and the Mechanic Arts," and providing for the receipt, investment, and management of said donation.

Which was read a first time, and

Mr. Hogate moved to refer the bill to the Committee on Agriculture.

Which was not agreed to.

Mr. Buskirk moved to refer the bill to the Committee on Education.

Which was not agreed to.

Mr. Puett moved to suspend the order of business, and take up Senate bill No. 42, with accompanying message.

Which was agreed to.

Mr. Wright moved to suspend the order of business, and take up House bill No. 63.

Which was not agreed to.

Mr. Rhoads moved to suspend the order of business, and take up House bill No. 84.

Which was not agreed to.

H. J.—18.

Mr. Buskirk moved to suspend the order of business, and take up Senate bill No. 1.

Which was not agreed to

Mr. Milroy moved that the House do now adjourn.

Which was not agreed to.

#### SENATE BILLS ON FIRST READING.

Senate bill No. 25. A bill defining certain misdemeanors, and prescribing punishment therefor.

Which was read a first time, and,

On motion by Mr. Reese,

Was referred to the Committee on the Judiciary.

Senate bill No. 55. A bill to fix the time of holding the Court of Common Pleas in the Fifth Judicial District, repealing all other laws on the same subject, and declaring when this act shall take effect.

Which was read a first time, and,

On motion by Mr. Hoover,

Was referred to the Committee on the Organization of Courts of Justice.

Senate bill No. 2. A bill regulating the practice in Circuit and Common Pleas Courts of this State, on appeals from judgments of Justices of the Peace.

Which was read a first time, and,

On motion by Mr. Brown,

Was referred to the Committee on the Judiciary.

Leave of absence was granted to Messrs. Richardson and Hargrove, till Tuesday next.

Senate bill No. 16. A bill to amend section 349, of an act entitled, "an act to revise, simplify, and abridge the rules, practice, pleading and forms in civil cases in Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18th, 1852.

Which was read a first time, and,

On motion by Mr. Branham,

Was referred to the Committee on the Judiciary.

Senate bill No. 39. A bill to amend an act entitled, an act to amend section 19 of an act to fix the time of holding the Common Pleas Courts in the several counties of this State; the duration of the terms thereof, and making all process from the present Common

Pleas Courts returnable to such terms, &c., approved February 15, 1861.

Which was read a first time, and,

On motion by Mr. Coffroth,

Was referred to the Committee on the Organization of Courts of Justice.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following Engrossed Bills thereof, to-wit :

Engrossed Senate bill No. 28. An act to amend the 25th section of an act defining felonies, and prescribing punishment therefor, approved June 10, 1862.

Engrossed Senate bill No. 36. An act to legalize the appraisement and assessment of property in cities of this State; the making out and delivering of the tax duplicates in the cities of this State, and the assessment of property by the Treasurers of the cities of this State, incorporated under the General Laws of this State for the incorporation of cities.

Engrossed Senate bill No. 44. A bill in relation to joint contracts, promises and obligations, and declaring all such contracts, promises and obligations, to be joint and several in their nature, so far as relates to the remedies to enforce the same.

Engrossed Senate bill No. 61. An act to amend section 4, of "an act containing several provisions regarding landlords, tenants, lessors, and lessees," approved May 20th, 1852.

Engrossed Senate bill No. 6. A bill to amend the 21st section of an act entitled "an act to authorize a company to construct the Aurora and Laughery turnpike," approved February 15th, 1848.

Engrossed Senate bill No. 63. An act prohibiting Circuit or Common Pleas Judges, County Clerks, Auditors, Recorders, Treasurers, Sheriffs, or any deputy of either of them from practicing law in any Court of this State, and prescribing punishment for the violation of the same.

Engrossed Senate bill No. 65. An act to amend section 13 of an act approved May 12th, 1852, entitled an act authorizing the construction of plank, Macadamized and gravel roads.

Engrossed Senate bill No. 70. An act for the relief of any person, plaintiff in execution, all officers to whom execution may be issued on any judgment, and sureties and co-sureties in certain cases.

Engrossed Senate bill No. 77. An act to amend section one of an act entitled "an act to amend the 33d section of an act entitled an act to revise, simplify and abridge the rules, practice, pleadings, and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved March 9th, 1861.

Engrossed Senate bill No. 82. An act to authorize cities to prepare, execute, negotiate, and sell bonds to provide means to complete unfinished school buildings, and to pay debts contracted for the erection of school buildings, and to authorize the levy and collection of an additional special tax, to provide means for the payment of the interest and principal of such bonds.

Engrossed Senate bill No. 84. An act to amend section 2 of an act entitled "an act prescribing the powers and duties of Justices of the Peace in State prosecutions," approved May 29th, 1852, so as to authorize the service of a warrant throughout the State.

In which the concurrence of the House is respectfully requested.

I am also directed to inform the House that the Senate has concurred in and passed the following Joint Resolution of the House, without amendment.

Engrossed Joint Resolution of the House No. 12. A Joint Resolution on behalf of the Grand Rapids and Indiana Railroad Company, asking that an extension of time be granted by the Congress of the United States to enable them to complete the construction of their road.

Mr. Milroy moved that the House do now adjourn.  
Which was not agreed to.

Senate bill No. 12. A bill authorizing creditors, in certain cases, to bring action on their claims before they are due, and have attachment against the property of the debtor; to garnishee property, money, credits and effects, and prescribing the manner of proceeding therein.

Which was read a first time, and,

On motion,

Was referred to the Committee on the Organization of Courts of Justice.

Mr. Milroy moved that the House do now adjourn.  
Which was not agreed to.

Senate bill No. 42. A bill to amend section 6 of an act entitled, "An act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the term thereof, and making process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859.

Which was read a first time.

Mr. Puett, moved that it be deemed expedient to suspend the constitutional rule requiring the reading of bills on three several days, and read the bill by its title a second time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Abbett, Beckett, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Collins, Colover, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Johnson, Kilgore, Lassel, Lemon, Lockhart, Major, Meredith, Milroy, Montgomery, Newcomb, Olleman, Osborn, Perigo, Puett, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stewart, Stenger, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, White, Whiteside, Willis, Woodruff, Wright, Zeigler and Mr. Speaker—82.

Mr. Banta voting in the negative.

So it was deemed expedient to suspend the constitutional rule, and read Senate bill No. 42 by its title a second time now.

So Senate bill No. 42 was read a second time.

Mr. Puett moved that it be deemed expedient to suspend the constitutional rule, requiring the reading of bills on three several days, and that Senate bill No. 42 be read a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Abbett, Beckett, Bird, Bonner, Boyd, Branham, Brown, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Collins, Col-

over, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Johnson, Kilgore, Lasselle, Lemon, Lockhart, Major, Meredith, Milroy, Montgomery, Newcomb, O'Brien, Olleman, Osborn, Perigo, Puett, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stewart, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, White, Whiteside, Willis, Woodruff. Wright, Zeigler and Mr. Speaker—81.

Those who voted in the negative were,

Messrs. Banta and Burnes—2.

So it was deemed expedient to suspend the constitutional rule, and Senate bill No. 42 was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Banta, Bird, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Collins, Colover, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Kilgore, Lasselle, Lemon, Lockhart, Major, Meredith, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Puett, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Steward, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, White, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler, and Mr. Speaker—84.

Noes none.

The question being, shall the title as reported stand as the title of the bill?

It was agreed to.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

Senate Joint Resolution No. 2. A Joint Resolution proposing an amendment to Article eight of the Constitution, so as to enable cities and towns to levy taxes for the support of Common Schools.

Which was read a first time.

Mr. Woods moved to refer the Joint Resolution to the Committee on Education.

Which was not agreed to.

Mr. Reese moved to refer said Joint Resolution to the Special Committee heretofore appointed on that subject.

Which was agreed to.

Mr. Milroy moved that the House do now adjourn.

Mr. Brown moved to amend, that when the house do adjourn it meet again at two o'clock this afternoon.

Which was not agreed to.

The question recurring on the motion of Mr. Milroy,  
It was not agreed to.

Senate Joint Resolution No. 3. A Joint Resolution proposing an amendment to section 23, article 4, of the Constitution, so as to provide for laws enabling cities and towns to raise money for the support of Common schools.

Which was read a first time.

Mr. Woods moved to refer said Joint Resolution to the Committee on Education.

Which was not agreed to.

Mr. Montgomery moved to refer to the Special Committee on Constitutional Amendments.

Which was agreed to.

Senate bill No. 115. A bill to amend section eleven of "an act concerning county prisons," approved May 27, 1852.

Which was read a first time, and,

On motion by Mr. Hershey,  
Was referred to the Committee on the Judiciary.

Mr. Wright moved to suspend the order of business and take up House bills on third reading.

Which was not agreed to.

On motion by Mr. Higgins,  
Leave of absence was granted Mr. Griffith from Friday noon till Wednesday morning.

Senate bill No. 14. A bill to amend an act entitled "an act in relation to County Treasurers," approved June 4th, 1852, and declaring an emergency.

Was read a second time.

The amendments heretofore reported by the Committee on the Judiciary were read and concurred in.

The bill was then ordered to be engrossed and pass to a third reading.

Mr. Milroy moved that the House do now adjourn.  
Which was not agreed to.

Leave of absence was granted to the Committee on the affairs of the State Prison North, from Tuesday next.

Senate bill No. 1. A bill appropriating seventy-five thousand dollars (\$75,000.00,) for the expenses of the present session of the General Assembly, and providing the manner of payment of the members and officers, and their assistants and appointees, of the Senate and House of Representatives,

Was taken up.

The pending question being on the following amendment offered by Mr. Higgins:

Amend by adding to the third section the following: "And the Auditor of State shall also audit and issue warrants to such of the members of the House of Representatives for the year 1863, as had their per diem reduced for absence, for the amount so reduced."

Messrs. Buskirk and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Banta, Bonner, Boyd, Branham, Burnes, Church, Collins, Chambers, Colover, Cook, Cox, Crook, Emerson, Ferris, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hendricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim Steward, Stivers, Stringer, Trusler, Upson, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—54.

Those who voted in the negative were,

Messrs. Abbett, Beckett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Croan, Foulke, Glazebrook, Gregg, Hargrove, Humphreys, Hunt, Lasselle, Lemon, O'Brien, Osborn, Perigo, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stringer, Stuckey, Sullivan of Scott, Thatcher, Veach and White—31.

So the amendment was agreed to.



Mr. Branham offered the following amendment :

And that the further sum of one hundred and thirty-five thousand dollars be appropriated out of the Treasury to repay the principal of loans made to the Governor of Indiana for the support of the Benevolent Institutions, State Prison, &c., as follows :

FROM WHAT SOURCE RECEIVED.	DATE RECEIVED.	AMOUNT.	TOTAL
To Decatur county.....	June 13, 1863.....	.....	\$7,000 00
Tippecanoe county.....	June 15, 1863.....	.....	5,000 00
Marion county.....	June 15, 1863.....	\$10,000 00	
Marion county.....	February 1, 1864..	10,000 00	
			20,000 00
Vermillion county.....	June 18, 1863.....	.....	250 00
Hendricks county.....	June 19, 1863.....	6,500 00	
Hendricks county.....	July 15, 1863.....	3,450 00	
			10,000 00
Henry county.....	June 23, 1863.....	.....	6,000 00
Lake county.....	June 23, 1863.....	.....	1,000 00
Parke county.....	June 23, 1863.....	.....	2,000 00
Fayette county.....	June 23, 1863.....	.....	5,000 00
Lagrange county.....	June 27, 1863.....	.....	4,000 00
Wabash county.....	June 29, 1863.....	.....	10,000 00
W. S. Reid and others, citizens of Wayne county..	August 3, 1863.....	.....	20,000 00
Delaware county.....	August 5, 1863.....	.....	5,000 00
Warren county.....	August 24, 1863..	.....	2,500 00
Boone county.....	Sept. 25, 1863.....	1,200 00	
St. Joseph county.....	Jan. 14, 1864.....	3,800 00	
			5,000 00
Hamilton county.....	Jan. 27, 1864.....	.....	2,000 00
Terre Haute and Richmond R. R. Co.....	Oct. 30, 1863.....	.....	15,000 00
W. R. McKeen.....	Jan. 19, 1864.....	.....	10,000 00
St. Joseph county.....	Feb. 5, 1864.....	.....	3,000 00
Total.....			\$135,000 00

With interest at 6 per cent. per annum from date loans were received, until date of re-payment, except on \$20,000 borrowed from citizens of Wayne county, on which interest has been paid to Aug. 3d, 1865, and on which loan interest shall be deducted at 6 per cent. from date principal is repaid to said 3d day of Aug., 1865.

Mr. Brown moved that the House do now adjourn.  
Which was not agreed to.

Mr. Buskirk moved to amend as follows :

That the sum of one hundred and thirty-five thousand dollars be, and the same is hereby appropriated to pay the expenses of the Asylum for the Insane, and the Institutions for the Education of the Deaf and Dumb and the Blind for the years 1863 and 1864.

The question being on the amendment offered by Mr. Buskirk,

Messrs. Buskirk and Thatcher demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Beckett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Collins, Colover, Croan, Glazebrook, Gregg, Hargrove,

Humphreys, Hunt, Lasselle, Lemon, O'Brien, Osborn, Perigo, Puett, Richards, Roach, Shoaff of Allen, Shoaff of Jay, Stuckey, Sullivan of Scott, Thatcher, Veach and White—31.

Those who voted in the negative were,

Messrs. Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hendricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Stewart, Stivers, Stringer, Trusler, Upson, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—53.

So the amendment was not agreed to.

Mr. Brown offered the following amendment :

Amend the amendment by striking out all that relates to interest on the loan.

The question being on the amendment offered by Mr. Brown,

Messrs. Buskirk and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Beckett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Colover, Croan, Glazebrook, Gregg, Hargrove, Humphreys, Hunt, Lemon, O'Brien, Osborn, Perigo, Richards, Roach, Shoaff of Allen, Shoaff of Jay, Stuckey, Sullivan of Scott, Thatcher, Veach and White—29.

Those who voted in the negative were,

Messrs. Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hendricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Reese, Rhoads, Riford, Rice, Sabin, Shuey, Sim, Stewart, Stivers, Stringer, Trusler, Upson, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—53.

So the amendment offered by Mr. Brown was not agreed to.

The question being on the amendment offered by Mr. Branham,

Messrs. Brown and Branham demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Colover, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Puett, Reese Rhoads, Rice, Riford, Sabin, Shuey, Sim, Stewart, Stivers, Stringer, Trusler, Upson, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—55.

Those who voted in the negative were,

Messrs. Abbett, Beckett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Croan, Glazebrook, Gregg, Hargrove, Humphreys, Hunt, Lemon, O'Brien, Osborn, Perigo, Richards, Roach, Shoaff of Allen, Shoaff of Jay, Stuckey, Sullivan of Scott, Thatcher, Veach and White—27.

So the amendment was adopted.

Senate bill No. 1 was then read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Banta, Bonner, Boyd, Branham, Burnes, Chambers, Colover, Church, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, McVey, Montgomery, Newcomb, Olleman, Puett, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Steward, Stivers, Stringer, Trusler, Upson, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—56.

Those who voted in the negative were,

Messrs. Abbett, Beckett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Glazebrook, Gregg, Hargrove, Humphreys, Hunt, Lemon, O'Brien, Osborn, Perigo, Richards, Roach, Shoaff of Allen, Shoaff of Jay, Stuckey, Sullivan of Scott, Thatcher, Veach and White—26.

The question being shall the title as read stand as the title of the bill.

Mr. Newcomb offered the following as a substitute :

An act making specific appropriations from the State Treasury.  
Which was agreed to.

The question being shall the bill as amended stand as the title of the bill.

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Rhoads, from the Committee on Enrolled Bills, made the following report :

MR. SPEAKER :

The Joint Committee on Enrolled Bills respectfully report that they have examined Enrolled Joint Resolution No. 12, House of Representatives, and instruct me to report the same as properly and correctly enrolled.

The Committee on Engrossed Bills, asked the privilege of employing a clerk during the remainder of the session.

Which was granted.

On motion, by Mr. Shuey,

The House adjourned.

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FRIDAY MORNING, 9 o'clock, }  
February 3d, 1865. }

The House met pursuant to adjournment.

The Clerk proceeded to read the Journal,

When, on motion by Mr. Higgins,

The further reading was dispensed with.

Mr. Jamison Lee, a Representative from the county of Washington, came forward and was sworn by the Speaker, and took his seat.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Whiteside, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Committee to whom was referred House bill No. 77, providing for the settlement of the estates of persons who have been absent from their places of residence and not heard from for seven years, direct me to report said bill back to the House, and ask the House to lay the same on the table, inasmuch as no legislation is needed on the subject. By reference to p. 485, 2d vol. Gaven & Hood, it will be seen that the wrongs intended to be remedied by the bill, are amply provided for by the act of March 5, 1859.

Which,

On motion,

Was laid on the table.

Mr. Whiteside, from the same Committee, made the following report:

The Committee to whom was referred House bill No. 19, made the following report:

MR. SPEAKER:

The Committee to whom was referred House bill No. 19, having had the same under consideration, direct me to report the same back to the House and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Miller, of Tippecanoe, from the Committee on the Organization of Courts of Justice, made the following report:

MR. SPEAKER:

The Committee to whom was referred House bill No. 43, a bill to repeal an act entitled "An act to establish Courts of Conciliation, to prescribe rules and proceedings therein, and compensation of Judges thereof," approved June 11, 1852, have had the same under

consideration and direct me to report the same back to the House and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Gregory, of Montgomery, from the Committee on Courts of Justice, to whom was referred House bill No. 57, made the following report :

MR. SPEAKER :

The Committee to whom was referred House bill No. 57, an act, entitled, "An Act to amend section seven hundred and eighty-four of an act to revise, simplify and abridge the rules, practice, pleadings and forms of in civil cases, in the Courts of this State; to abolish distinct forms of action at law and provide for the administration of justice, in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, have had the same under consideration and direct me to report the bill back to the House and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Johnson, from the Committee on the Organization of Courts of Justice, made the following report :

MR. SPEAKER :

The Committee to whom was referred Senate bill No. 11, an act repealing section 10 of an act, entitled, "An Act to establish courts of conciliation, to prescribe rules and proceedings therein and compensation of judges thereof," approved June 11, 1852, have had the same under consideration and direct me to report the same back to the House with the recommendation that it lay on the table.

Which was agreed to.

Mr. Burwell, from the Committee on the Organization of Courts of Justice, made the following report :

MR. SPEAKER :

The Committee to whom was referred House bill No. 34, being an act to amend the 18th section of an act regulating descents and the apportionment of estates, respectfully report said bill, with the following amendments :

Strike out the words "by which marriage any children are living," in the eighth line of the second page, and insert, in lieu thereof, the

following words "and there being no children, or their descendants living, of the deceased husband, from whom such real estate came to such widow," and, when so amended, the Committee recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Gregory of Warren, from the Committee on Education, made the following report :

MR. SPEAKER :

The Committee on Education, to whom was referred House bill No. 76, offered by Mr. Miller of Clinton county, to amend the 79th and 97th sections of the Common School act of 1861, have had the same under consideration ; they beg leave to report, that the Committee on Education are now preparing a new School bill, to be presented to this House in a few days, which will meet all the requirements of this bill, and as the Committee concur with the member who offered said bill, they have no doubt this will be satisfactory to have the same incorporated into said new School bill, without a separate act on the subject. They therefore recommend that no action be taken by the House on said bill No. 76, for the present.

Which,

On motion,

Was laid on the table.

Mr. Gregory of Warren, from the Committee on Education, made the following report :

MR. SPEAKER :

The Committee on Education, to whom was referred House bill No. 26, offered by Mr. Woodruff, of Vigo county, to amend section 27 of the School law, approved March 5th, 1855, beg leave to report, that they have examined said bill, and they find on examination of the law, that said section 27, of said School law referred to in said bill, is not in force, and, therefore, needs no amendment ; they, therefore, return said bill to the House, and recommend that it do not pass.

Which,

On motion,

Was laid on the table.

Mr. Gregory of Warren, from the same Committee, made the following report :

MR. SPEAKER :

The Committee on Education, to whom was referred House bill No.

105, offered by Mr. Lasselle of Cass county, to amend section 46 of the Common School law of 1861, beg leave to report, that they have examined the same, and they now report that the Committee on Education are now preparing, and will present to this House, a new School law, which will embrace in it the matters in substance as asked for in this bill, which new School bill will no doubt have the proper consideration of this House; they, therefore, ask that no further action be taken on this bill at present.

Which was laid on the table.

Mr. Olleman, from same Committee, made the following report:

MR. SPEAKER:

The Committee on Education, to whom was referred House bill No. 40, offered by Mr. Howard, of Clark county, to amend sections 78 and 82, of the School law of 1861, beg leave to report, that they have given due consideration to said bill; your Committee would further report, that they are now preparing and will present in a few days to this House, a new School bill, in which bill will be embraced the views of your Committee on the matters asked to be acted upon in this bill; they, therefore, return said bill to the House, with the recommendation that no further action be taken upon said bill at this time.

Which,

On motion,

Was laid on the table.

Mr. Church, from the Committee on Swamp Lands, made the following report:

MR. SPEAKER:

The Committee on Swamp Lands, to whom was referred "Joint Resolution No. 11," for the relief of George W. Archer, have had the same under consideration, and direct me to report the same back to the House, and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Riford, from the Committee on Swamp Lands, made the following report:

MR. SPEAKER:

The Committee on Swamp Lands, to whom was referred House bill No. 86, entitled "an act authorizing the digging of a ditch or canal from the Little Calumet River to Grand Calumet River, in Lake



county," have had the same under consideration, and direct me to report the same back to the House, and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Church, from the Committee on Swamp Lands, made the following report :

MR. SPEAKER :

The Committee on Swamp Lands, to whom was referred House bill No. 55, "an act authorizing persons therein named, to dig a canal from the Columet River to Lake Michigan, for the purpose of draining the Swamp Lands of Lake and Porter counties," have had the same under consideration, and direct me to report the same back to the House, and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Trusler, from the Committee on Military Affairs, made the following report :

MR. SPEAKER :

The Committee on Military Affairs, to whom was referred Senate Joint Resolution No. 5, instructing our Senators and requesting our Representatives in Congress, to secure the passage of a law placing certain persons therein named upon the Pension Roll, &c., would respectfully report the same back to this House, with the recommendation that this House concur therein.

Which,

On motion,

Was laid on the table.

Mr. Trusler, from the Committee on Military Affairs, made the following report :

MR. SPEAKER :

The Committee on Military Affairs, to whom was referred House bill No. 68, authorizing Boards of County Commissioners in this State, to take donations and receive subscriptions, for the purpose of erecting a monument to the memory of those from their several counties, who have lost their lives and who may lose their lives in the present war for the restoration of the Union, would respectfully report the same back to this House, and recommend its passage.

Which,

On motion,

Was laid on the table.

H. J.—19.

Mr. Boyd, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee to whom was referred House bill No. 99, have had the same under consideration, and beg leave to report the same back to the House and recommend that it be referred to the Committee on Ways and Means.

Which, on motion, was concurred in.

Mr. Groves, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of Morrison & Ray, Attorneys at Law, for the sum of \$714.00—attorneys' fees for prosecuting a suit in Marion Circuit Court for the State of Indiana, in the name of Joseph A. Wright *vs.* John D. Defrees and others—have had the same under consideration, and beg leave to report that the claim is deemed excessive, and the Committee recommend that the sum of \$200.00 be allowed and incorporated in the Specific Appropriation bill for payment.

Mr. Groves moved to refer the report to the Committee on Ways and Means, with instructions to incorporate said sum in the Specific Appropriation bill.

Mr. Newcomb moved to amend by inserting "five hundred dollars." Which was not agreed to.

Mr. Newcomb moved to amend by inserting in the proper place, "three hundred and fifty dollars," instead of "two hundred dollars." Which was not agreed to.

The report was then concurred in, and,

On motion by Mr. Groves,  
Was referred to the Committee on Ways and Means.

Mr. Veach, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of John H. Frazier for the sum of seventeen dollars and seventy cents, for repairing twenty drawers in the Hall of Representatives during the

session of 1863, have had the same under consideration, and recommend that it be allowed, and placed in the Specific Appropriation bill for payment.

The report was concurred in, and so referred.

Mr. Burnes, from the Committee on Rights and Privileges of the Inhabitants of the State, made the following report :

MR. SPEAKER :

The Committee on Rights and Privileges of the Inhabitants of the State, to whom was referred House bill No. 58, entitled "an act to amend the fifth and sixth sections of an act regulating interest on money, and to repeal an act entitled "an act concerning interest on money," approved May 27th, 1852 ; the fifty-first section of an "act defining misdemeanors, and prescribing punishment therefor," approved June 14th, 1852, and all other laws and parts of laws in conflict with this act," approved March 7th, 1861, have had the same under consideration, and directed me to report the same back without any amendment, and recommend that the bill pass in its present form.

Which,

On motion,

Was laid on the table.

Mr. Stringer, from the Committee on Roads, made the following report :

MR. SPEAKER :

The Committee on Roads, to whom was referred House bill No. 49, introduced by Mr. Meredith, entitled "an act to amend section thirteen of an act in relation to plank roads," have had the same under consideration, and direct me to report said bill back to the House and recommend the passage of the same without amendment.

Which,

On motion,

Was laid on the table.

Mr. Stringer, from the Committee on Roads, made the following report :

MR. SPEAKER :

The Committee on Roads, to whom was referred House bill No. 79, entitled an act to amend an act entitled "an act providing for the election or appointment of Supervisors of Highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved March 5th, 1859, have had the same under

consideration, and direct me to report said bill back to the House with the following amendment, and when so amended recommend its passage :

Amend by striking out all of section thirty-three, "declaring an emergency."

Which,

On motion,

Was laid on the table.

Mr. Stivers, Chairman of the Committee on County and Township Business, made the following report :

MR. SPEAKER :

The Committee on County and Township Business to whom was referred House bill No. 52, "entitled an act to render uniform the assessments of personal property in the several townships of the different counties," instruct me to report that they have had the same under consideration, and that they recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Stivers from the Committee on County and Township Business, made the following report :

MR. SPEAKER :

The Committee on County and Township Business, to whom was referred House bill No. 31, entitled an act to amend section one of an act entitled an act to exempt property from sale in certain cases, approved Feb. 17th, 1862, have had the same under consideration and instruct me to report the same back to this House and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Stivers, from the Committee on County and Township Business, made the following report :

MR. SPEAKER :

The Committee on County and Township Business, to whom was referred House bill No. 92, entitled an act fixing the time of filing the original papers in actions before the County Commissioners Court,

and the time of filing claims against the county, have had the same under consideration, and direct me to report to this House, that in the opinion of said Committee the passage of said bill in inexpedient. They therefore recommend that said bill lie on the table.

The report was concurred in, and report laid on the table.

Mr. Woods from the Committee on Agriculture made the following report :

MR. SPEAKER :

The Committee on Agriculture, to whom was referred House bill No. 29, "an act to amend section 15 of an act entitled an act concerning inclosures, trespassing animals and partition fences," have had the same under consideration and have directed me to report the bill back without amendment and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Hogate from the Committee on Agriculture, made the following report :

MR. SPEAKER :

The Committee on Agriculture to whom was referred Senate Joint Resolution No. 10, "a Joint Resolution relative to the establishment of a bonded tobacco warehouse at Evansville, Indiana," have had the same under consideration and direct me to return the same to the House and recommend its passage.

Which was laid on the table.

Mr. Higgins asked and obtained leave for the Special Committee on Resolution No. 14 to be authorized to visit the State Prison, in company with the Standing Committees on the Prisons.

Mr. Meredith, from the Committee on Benevolent and Scientific Institutions, made the following report :

MR. SPEAKER :

The Committee on Benevolent and Scientific Institutions, to whom was referred the following preamble and resolution, have considered the subject matter of it, and directed me to report them as follows :

WHEREAS, Our Lunatic Asylum is so crowded that many who are entitled to a place within its walls cannot be admitted for want of room ; therefore,

*Resolved*, That the Committee on Benevolent and Scientific Institutions be requested to take the matter into consideration, and recommend some plan by which such persons may be provided for.

The Committee reports that the subject matter of the resolution was duly considered, and reported upon in their regular report on the Benevolent and Scientific Institutions, which has been submitted to the House and ordered to be printed.

Which,  
On motion,  
Was laid on the table.

Mr. Meredith, from the Committee on Benevolent and Scientific Institutions, made the following report:

MR. SPEAKER:

The Committee on Benevolent and Scientific Institutions, to whom was referred the following resolution, have directed me to report thereon as follows:

*Be it resolved by the House of Representatives, (the Senate concurring,)* That the use of the Chapel attached to the Asylum for the Blind be granted to the congregation of Grace Church, of the denomination of Christians, known as the Protestant Episcopal, for the space of three months, allowing them to assemble for the purpose of Christian worship, once, each Sabbath, within said period: *Provided*, said permission comports with the convenience of the Superintendent and the inmates of said institution.

The Committee recommend the adoption of the resolution, and that the denomination of christians referred to in said resolution be allowed the use of the Chapel attached to the Blind Institute for the space of three months, with the consent of the Superintendent and pupils of said Institute.

Which,  
On motion,  
Was laid on the table.

Mr. James, from the Committee on Corporations, made the following report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred House bill

No. 62, have had the same under consideration, and instruct me to report the same back to the House, and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. James, from the Committee on Corporations, made the following report :

MR. SPEAKER :

The Committee on Corporations, to whom was referred House bill No. 83, have had the same under consideration, and instruct me to report the same back to the House, and recommend that it be indefinitely postponed.

The report was concurred in, and House bill No. 83 indefinitely postponed.

Mr. James, from the Committee on Corporations, made the following report :

MR. SPEAKER :

The Committee on Corporations, to whom was referred a resolution of this House, instructing them to inquire into the propriety of legislating upon the subject of incorporating towns and cities, divided by county lines, have had the same under consideration and instruct me to report the same back to the House, and recommend that legislation upon that subject would be inefficient.

The report was concurred in.

Mr. Newcomb, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Committee on the Judiciary, to whom was referred House bill No. 2, entitled, "A Bill relative to the Supreme Court, and providing compensation to the judges thereof," together with the amendment thereto, recommended by the Committee on Fees and Salaries, have had the same under consideration, and have instructed me to report back the bill and amendment, with the following recommendations :

Amend by striking out the following words, at the end of section 4: "on the days aforesaid," and insert in lieu thereof the following :  
"as in other cases."

That the amendment proposed by the Committee on Fees and Salaries be laid on the table.

And, when the bill is so amended, the Committee recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Miller, of Clinton, offered the following resolution :

*Resolved*, That the Committee on Ways and Means be instructed to report to this House, on to-morrow morning, the claim of D. J. Silvers, due on contract for work done and materials furnished in the erection of sundry buildings connected with State Prison, north.

Mr. Branham moved to amend by referring the within matter and the whole indebtedness of Northern State Prison, prior to the 11th of March, 1863, to the Committee on Claims.

Which was agreed to.

The resolution, as amended, was then adopted.

#### JOINT RESOLUTIONS AND BILLS INTRODUCED.

By Mr. Whiteside,

Joint Resolution No. 13. A Joint Resolution of the General Assembly of the State of Indiana, accepting and ratifying an article in addition to, and amendment of, the Constitution of the United States, proposed by the Congress thereof.

Which was read a first time and passed to a second reading.

By Mr. Brown,

House bill No. 116. A bill to provide for testing and sealing all weights and measures used by wholesale and retail merchants and dealers, and providing a punishment for all persons who shall violate the provisions of this act, and declaring an emergency.

Which was read a first time, and,

On motion by Mr. Brown,

Referred to the Committee on the Judiciary.

By Mr. Newcomb,

House bill No. 117. A bill to amend sections 39, 42, 45 and 54, of an act, entitled, "An Act for the incorporation of insurance com-



panies, defining their powers and prescribing their duties," approved June 17, 1852.

Which was read a first time, and,

On motion by Mr. Newcomb,

Was referred to the Committee on the Judiciary.

By Mr. Howard,

House bill No. 118. A bill to amend section 2 of an act to require surviving partners to file inventories and appraisements in the office of the Clerk of the Court of Common Pleas, and to report the liabilities of the firm, approved March 5, 1859.

Which was read a first time, and,

On motion,

Was referred to the Committee on the Judiciary.

By Mr. Rhoads,

House bill No. 119. A bill to establish and create a State Normal School, and matters connected therewith.

Which was read a first time, and,

On motion by Mr. Brown,

Referred to the Committee on Education.

By Mr. Kilgore,

House bill No. 120. A bill to prescribe the duties of agents of insurance companies.

Which was read a first time, and,

On motion,

Referred to the Committee on Corporations.

On motion by Mr. Veach,

*Resolved*, That the Doorkeeper of this House procure a piece of zinc for the purpose of covering the register on the right hand of the Speaker's stand, as the use of it is unnecessary in this warm weather, and unhealthy.

By Mr. McVey,

House bill No. 121. A bill to cure defective acknowledgments of deeds in certain cases.

Which was read a first time, and,

On motion,

Referred to the Committee on the Judiciary.

Mr. Wright offered the following resolution:

*Be it resolved*, That the Judiciary Committee be instructed to inquire into the propriety of making an appropriation to each soldier

and marine from this State that has been, or may be, in the military service of the United States for any period of time not less than one year during the present war, of an amount equal to the amount of taxes that has been, or may be, levied on the property of such soldier or marine for the purpose of paying bounties to volunteers, and report to this House by bill or otherwise.

Which was agreed to.

Mr. Osborn offered the following resolution :

*Resolved*, That the Committee on the Judiciary be instructed to inquire into the expediency of repealing the 1st, 2d, 3d, 4th, 5th, and 6th sections of an act entitled "an act to ascertain the amount of the fees and salaries of the Clerks of the Supreme Court, and the various counties in this State; of County Auditors, Treasurers and Recorders; of Circuit and Prosecuting Attorneys, and to provide punishment for a violation of its provisions," approved June 3d, 1861, and report by bill or otherwise.

Which was agreed to.

On motion by Mr. Beckett,

*Resolved*, That the elective officers of this House be instructed to inform this House of the number of employees they each have in their employ, and their respective duties.

By Mr. Cook,

House bill No. 122. A bill to amend sections six and ten of an act entitled "an act to provide for and regulate the inspection of tobacco throughout the State of Indiana," approved February 12th, 1857.

Which was read a first time, and,

On motion,

Referred to the Committee on Manufactures and Commerce.

Mr. Newcomb moved to reconsider the vote by which the Committee on Engrossed Bills were authorized to employ a Clerk on yesterday.

Which was agreed to.

Mr. Newcomb then moved to lay the request of the Committee on the table.

Which was agreed to.

Mr. Olleman introduced

House bill No. 123. A bill to declare forfeited the right of way of certain railroad companies to branch roads, no part of which has been

completed, and upon which no work has been done for ten years, and declaring that the right of way aforesaid shall revert to the land owners along the route thereof.

Which was read a first time, and,

On motion,

Referred to the Committee on the Judiciary.

Leave of absence was granted Mr. Shoaff, of Allen, till Tuesday next.

Mr. Stringer introduced

House bill No. 124. A bill to amend section thirty of "an act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2d, 1855.

Which was read a first time, and,

On motion,

Referred to the Committee on County and Township Business.

Mr. Newcomb introduced

House bill No. 125. A bill to amend sections one and two of an act entitled "an act to provide for the re-location of county seats, and for the erection of public buildings in counties in case of such re-location," approved March 2d, 1855.

Which was read a first time, and,

On motion,

Referred to the Committee on County and Township Business.

Leave of absence was granted Mr. Lasselle till Monday, Messrs. Gregory, of Montgomery, and Roach till Wednesday next, and Mr. Coffroth till Saturday of next week.

The Select Committee on State Prisons were granted leave of absence to visit the Prisons North and South.

Mr. Buskirk laid before the House the report of the Military Auditing Committee, which was laid on the table and 500 copies ordered to be printed.

#### SENATE BILLS ON FIRST READING.

Senate bill No. 28. A bill to amend the 25th section of an act entitled "an act defining felonies, and prescribing punishment therefor," approved June 10th, 1852.

Which was read a first time, and,

On motion,

Referred to the Committee on the Judiciary.

Senate bill No. 36. A bill to legalize the appraisement and assessment of property in the cities of this State; the making out and delivering of the tax-duplicates in the cities of this State, and the assessment of property by the Treasurers of the cities in this State, incorporated under the general laws of this State for the incorporation of cities,

Was read a first time, and,

On motion,

Referred to the Committee on the Judiciary.

Senate bill No. 44. A bill in relation to joint contracts, promises and obligations, and declaring all such contracts, promises and obligations, to be joint and several in their nature, so far as relates to the remedies to enforce the same,

Was read a first time, and,

On motion,

Referred to the Committee on the Judiciary.

Senate bill No. 60. A bill to amend the 21st section of an act entitled, an act to authorize a company to construct the Aurora and Laughery turnpike, approved February 15th, 1848,

Was read a first time, and,

On motion,

Referred to the Committee on Corporations.

Senate bill No. 61. A bill to amend section 4 of "an act containing several provisions regarding landlords, tenants, lessors and lessees," approved May 20th, 1852,

Was read a first time, and,

On motion,

Referred to the Committee on Agriculture.

Engrossed Senate bill No. 63. A bill prohibiting Circuit or Common Pleas Judges, County Clerks, Auditors, Recorders, Treasurers, Sheriffs, or any Deputy of either of them, from practicing law in any Court of this State, and prescribing punishment for the violation of the same.

On motion by Mr. Trusler,

Was referred to the Committee on the Judiciary.

Senate bill No. 65. A bill to amend section 13, of an act approved May 12th, 1852, entitled "an act authorizing the construction of Plank, Macadamized, and Gravel roads,"

Was read a first time.

Mr. Brown moved to refer to the Committee on Rights and Privileges of the Inhabitants of the State.

Which was not agreed to.

Mr. Sullivan, of Scott, moved to refer to the Committee on Roads. Which was agreed to.

Engrossed Senate bill No. 79. A bill for the relief of any person, plaintiff in execution; all officers to whom executions may be issued on any judgment and sureties, and to sureties in certain cases.

Read a first time, and,

On motion,

Referred to the Committee on the Judiciary.

Engrossed Senate bill No. 77. A bill to amend section one of an act entitled, to amend the 33d section of an act entitled, an act to revise, simplify, and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved March 9th, 1861,

Was read a first time, and,

On motion,

Referred to Committee on the Judiciary.

Senate bill No. 82. A bill to authorize cities to prepare, execute, negotiate and sell bonds; to provide means to complete unfinished school buildings, and to pay debts contracted for the erection of school buildings, and to authorize the levy and collection of an additional special tax; to provide means for the payment of the interest and principal of such bonds, and declaring an emergency.

Was read a first time, and,

On motion,

Referred to the Committee on Education.

Engrossed Senate bill No. 84. A bill to amend section 2 of an act entitled, an act prescribing the powers and duties of Justices of the Peace in State prosecution, approved May 29th, 1852, so as to authorize the service of a warrant throughout the State.

Read a first time, and,

On motion by Mr. Wright,

Referred to the Committee on the Judiciary.

Mr. Wright moved to suspend the order of business and take up engrossed House bills.

Which was agreed to.

House bill No. 63. A bill relating to corporations for mechanical, manufacturing, mining and quarrying purposes was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Banta, Beckett, Bonner, Boyd, Branham, Brown,

Burnes, Burton, Burwell, Chambers, Coffroth, Cook, Cox, Croan, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Warren, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Johnson, Kilgore, Lockhart, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Puett, Reece, Rhoads, Richards, Rice, Riford, Shoaff of Jay, Shuey, Sim, Steward, Stenger, Stringer, Stuckey, Thatcher, Upson, Veach, White, Whiteside, Woodruff, Willis, Woods, Wright, Zeigler and Mr. Speaker—69.

Those who voted in the negative were,

Messrs. Collins, Colover, Dunham, Lee, Lopp and Lemon—6.

The question being, shall the title as read stand as the title of the bill.

It was so ordered.

So the bill passed.

*Ordered*, that the Clerk inform the Senate thereof.

House bill No. 84. A bill to legalize the action of Boards of County Commissioners of Vermillion County and of the District and State Boards of Equalization, in adopting the appraisement of real estate of 1859 as the basis for the assessment of taxes for the year 1864, and each year thereafter till a new appraisement shall be made.

Was read a third time, and the question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Banta, Beckett, Boyd, Bonner, Burnes, Burton, Burwell, Coffroth, Collins, Colover, Cook, Cox, Croan, Emerson, Foulke, Goodman, Gregg, Gregory of Warren, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Johnson, Kilgore, Lee, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, O'Brien, Osborn, Patterson, Perigo, Puett, Reece, Rhoads, Rice, Richards, Riford, Shoaff of Jay, Shuey, Sim, Steward, Stenger, Stringer, Stuckey, Thatcher, Trusler, Upson, Veach, White, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—72.

None voting in the negative.

The question being, shall the title as read stand as the title of the bill.

It was so ordered.

So the bill passed.

*Ordered*, that the Clerk inform the Senate thereof.

The following messages from the Senate were taken up :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has adopted the following concurrent resolution to-wit :

WHEREAS, The laws now in force in the State of Indiana on the subject of Insurance Companies, need such general revision as will protect the people of the State against fraud and irresponsible organizations, therefore,

*Be it Resolved by the Senate (the House concurring therein),* That a Committee of three on behalf of the Senate to act in conjunction with a like Committee of three on behalf of the House to whom all bills now introduced, or that may hereafter be introduced upon that subject, shall be referred, and that said Committee is hereby instructed to examine the laws now in force relative to Insurance Companies, and report by bill or otherwise.

In which the concurrence of the House is respectfully requested.  
Which was read and concurred in.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER :

I am instructed by the Senate to inform the House that the Senate as passed the following concurrent resolution :

*Resolved by the Senate, (the House of Representatives concurring,)* That the Adjutant General of the State of Indiana be instructed to use his utmost influence to induce the proper authorities to establish a general mustering office in the City of Indianapolis, where recruits can be mustered and credited to any district, county, township or city in the State of Indiana, or such other regulations as may produce the effect of giving Districts other than the 6th District an equal right to procure volunteers from among persons who may visit the city where the military headquarters of the State are situated.

In which the concurrence of the House of Representatives is respectfully requested.

I am also directed to return to the House the following Enrolled Joint Resolution thereof :

Enrolled Joint Resolution of the House No. 7. " A Joint Resolution instructing our Senators and requesting our Representatives

in Congress to endeavor to obtain an appropriation for the improvement of the harbor at Michigan City.

The same having been signed by the President of the Senate.

Which was taken up, read, and concurred in.

Mr. Beckett moved to suspend the order of business, and take up House bill No. 45.

Which was agreed to.

House bill No. 45. A bill to legalize the acts of certain officers in the State, who have entered the military service, and have accepted commissions in the armies of the United States, and whose duties have been discharged by deputies during their absence in said service.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Banta Beckett, Bonner, Boyd, Branham, Burnes, Burton, Burwell, Chambers, Church, Coffroth, Collins, Colover, Cook, Cox, Croan, Ferris, Foulke, Goodman, Gregg, Gregory of Warren, Groves, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Johnson, Major, Meredith, Miller of Tippecanoe, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Puett, Reese, Rhoads, Rice, Richards, Riford, Shoaff of Jay, Shuey, Sim, Stewart, Stenger, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher. Trusler, Upson, Veach, White, Whiteside, Willis, Woods and Mr. Speaker—66.

Mr. Lemon voting in the negative.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

Engrossed Senate bill No. 10. A bill to amend section 322 of an act entitled, "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice,



without distinction between law and equity," approved June 18th, 1852.

Was read a second time, and,

On motion by Mr. Buskirk,

Was referred to the Committee on the Judiciary.

Mr. Thatcher moved that when the House adjourns, it stands adjourned till 2 o'clock P. M. Monday next.

Which was not agreed to.

Mr. James moved to adjourn till 2 o'clock P. M.

Which was not agreed to.

The Speaker laid before the House the following reports from the officers of the House of Representatives :

*To the Members of the House of Representatives :*

In compliance with the resolution of February 3d, I have the honor to submit the following report :

I have appointed the persons whose names and occupation are as follows, to-wit :

A. J. Castater, Stationery Clerk.

John S. Duncan, Speaker's Clerk.

George Nichols, Floor Page.

Walter Buskirk, " "

Oliver T. Boaz, " "

James Burns, " "

Hugh Hadley, Clerk's Page.

Wm. D. Elliott, Speaker's Page.

A. J. Halford, Doorkeeper's Page.

James Dillie, Stationery Page.

JOHN U. PETTIT, *Speaker.*

*To the Speaker of the House of Representatives :*

SIR : In reply to the resolution of February 3d, I have the honor to make the following report :

I have employed the clerks whose names and occupations are as follows, to-wit :

O. M. Wilson, Reading Clerk.

J. M. Bradley, Engrossing Clerk.

J. F. Heaton, Engrossing Clerk.

Timothy Field, Register Clerk.

R. H. Newcomb, Enrolling Clerk.

W. W. Hester, File Clerk.

CYRUS T. NIXON,

*Principal Clerk House of Representatives.*

*To the Speaker of the House of Representatives :*

SIR: In reply to the resolution of February 3d, I have the honor to submit the following report :

I have employed the Clerks whose names and occupation are as follows, to-wit :

Charles E. Griffin,	Journal Clerk.
Rob't O. Dormor,	" "
Wm. H. Current,	" "
Moses C. Springer	" "

T. W. O. BRAFFETT,  
*Assistant Clerk House of Representatives.*

*To the Speaker of the House of Representatives :*

SIR: In compliance with the resolution of February 3d, I have the honor to submit the following report :

I have employed the persons whose names and occupation are as follows, to-wit :

G. W. Busby,	1st Assistant Doorkeeper.
A. W. Stringer,	2d " "
W. W. Browning,	3d " "
A. Wagoner,	Doorkeeper to Committee.
W. H. McCarty,	" "
Captain Russell,	Fireman below.
Rob't Morrow,	" "
Peter Wilkins,	" above.
George Phillips,	" "
George Cook,	Coal Carrier.
John Warner,	Spittoon Cleaner.
George Douglass,	Mail Messenger.

J. H. DOOLEY,  
*Doorkeeper House of Representatives.*

MR. SPEAKER ;

In accordance with a resolution of the House of February 3d, I have the honor to submit the following list of employees by me appointed, to-wit :

1st Assistant Stationery Clerk,	Wm. W. Daugherty.
2d " " " "	Wm. H. Burk.
Folder for Stationery Room,	A. C. Cochran.

A. J. CASTATER,  
*Stationery Clerk.*

Engrossed Senate bill No. 23. A bill to amend section seventy-six of an act entitled, "An act defining misdemeanors, and prescribing punishment therefor, approved June 14, 1852."

Which was read a second time, and,  
Ordered to be engrossed, and passed to a third reading.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER :

I am directed by the Senate to present the House of Representatives the following enrolled acts of the Senate for the signature of the Speaker of the House :

Enrolled Senate Act No. 6. An act to amend an an act entitled, An act to amend section seven of an act entitled, An Act to fix the times for holding the Common Pleas Court in the several counties of this State, the duration of the the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith, approved March 5, 1869, so as to change the times of holding said Courts in Jackson and Bartholomew counties, and declaring when this act shall take effect, approved March 9, 1861, so as to change the times of holding said Courts in Jennings and Bartholomew counties, extending the times for holding said Courts therein, requiring all persons to take notice thereof, providing for the return of process, and declaring when this act shall take effect.

Enrolled Senate Act No. 42. An act to amend section nine of an act entitled, An act to fix the time of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith, approved March 5, 1859.

I am also directed to return to the House,

Joint Resolution of the House No. 12. A Joint Resolution on behalf of the Grand Rapids and Indiana Railroad Company, asking that an extension of time be granted by the Congress of the United States to said company to enable them to complete the construction of their road.

Which has been signed by the President of the Senate.

The Speaker announced the following Select Committee of Five on Physicians' Memorials :

Messrs. Griffith, Sullivan of Scott, Henricks, Stuckey and Coffroth.

Also, Select Committee on resolution of the House of January 31st :

Messrs. Bird, Whiteside, Beckett, Foulke and Brown.

Mr. Stringer asked and obtained leave of absence till Monday next.

Messrs. Sabin and Wright asked and obtained leave of absence on account of sickness of their families.

The committee on Education were granted leave of absence to visit Stockwell Institute week after next.

The Committee on Agriculture were granted leave of absence to visit the same institution, next Wednesday a week.

Leave of absence was granted Mr. Kilgore till Tuesday next.

The Speaker announced to the House that he had signed Senate bills No. 42 and 6.

On motion by Mr. Burnes,

The House adjourned.

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SATURDAY MORNING, 9 o'CLOCK, }  
February 4, 1865. }

The House met.

The Clerk proceeded to read the Journal, when,

On motion by Mr. Riford,

The further reading of the Journal was dispensed with.

Messrs. Higgins, Montgomery and Goodman were granted leave of absence till Monday next.

## REPORTS FROM STANDING COMMITTEES.

Mr. Miller, of Tippecanoe, from the Committee on the Organization of the Courts of Justice, made the following report :

MR. SPEAKER :

The Committee to whom was referred Senate bill No. 39, an act to amend an act, entitled, "An Act to amend section 19 of an act to fix the time of holding the Common Pleas Courts, in the several counties of this State, the duration of the terms thereof, and making all process from the Common Pleas Court returnable to such terms, &c.," approved February 15, 1861, have had the same under consideration and direct me to report the same back to the House and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Groves, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred House bill No. 112, which is a bill for the relief of A. W. Loudermilk, and for the conveying of certain tracts of lands therein named, have had the same under consideration, and beg leave to report the same back to the House with the recommendation that it lie on the table.

Which,

On motion,

Was laid on the table.

Mr. Burnes, Chairman of the Committee on Rights and Privileges of the Inhabitants of the State, made the following report :

MR. SPEAKER :

The Committee on Rights and Privileges of the Inhabitants of the State to whom was referred House bill No. 35, entitled, "An Act to prevent county officers and their deputies from practicing law, during their term of office, and prescribing punishment therefor, have had the same under consideration, and direct me to report the same back, without amendment, and recommend the passage of the bill in its present form.

Which,

On motion,

Was laid on the table.

Mr. Lockhart, from the Committee on Railroads, made the following report :

MR. SPEAKER :

The Committee on Railroads, to whom was referred House bill No. 9, have had the same under consideration, and instruct me to report the same back, and to recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Coffroth, from the Committee on Railroads, made the following majority report :

MR. SPEAKER :

The Committee on Railroads, to whom was referred House bill No. 59, have had the same under consideration, and the majority of said Committee have instructed me to report said bill back, and to recommend that section first be amended by adding to the conclusion thereof the following :

*“And provided, further, That nothing, in this act contained, shall be held or construed to make or render the State liable for any debt, obligation or liability of any such canal company : And provided, further, That any railroad company with which a canal company may contract, as aforesaid, shall, for the protection of the hydraulic power of the canal, maintain the embankments thereof, so far as such railroad company occupies such embankments.”* And that, when so amended, they do recommend its passage.

Which,

On motion,

Was laid on the table.

Leave was granted the minority to make a report at some future day.

Mr. Coffroth, from the Committee on Railroads made the following report :

MR. SPEAKER :

The Committee on Railroads to whom was referred House bill No. 107, have had the same under consideration, and have instructed me to report the same back and to recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Patterson, from the Committee on County and Township Business, made the following report :

MR. SPEAKER :

The Committee on County and Township Bussness, to whom was referred House bill No. 66, an act to amend the 3d section of an act entitled an act providing for the election and prescribing certain duties of County Surveyors, approved June 15th, 1852, have had the same under consideration and direct me to report it back, and recommend it lie on the table.

Which,

On motion,

Was laid on the table.

Mr. James, from the Committee on Corporations, made the following report :

MR. SPEAKER :

The Committee to whom was referred House bill No. 108, introduced by Mr. Puett, of Putnam, have had the same under consideration and instruct me to report the same back to the House and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. James, from the Committee on Corporations, made the following report :

MR. SPEAKER :

The Committee on Corporations to whom was referred House bill No. 88, a bill authorizing certain Corporations therein named to change their corporate name, have had the same under consideration and instruct me to report the same back to the House and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. James, from the Committee on Corporations, made the following report :

MR. SPEAKER :

The Committee on Corporations to whom was referred a resolution offered by Mr. Collins in relation to regulating frieght and fares on public conveyances, have had the same under consideration and instruct me to report the same back to the House and recommend its reference to the Committee on Railroads.

Which,

On motion,

Was referred to the Committee on Railroads.

Mr. Collins, from the Committee on Swamp Lands, made the following report :

MR. SPEAKER :

The Committee on Swamp Lands to whom was referred House bill No. 78, have had the same under consideration, and have instructed me to report it back and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Gregory offered the following resolution :

*Resolved*, That the Committee on the Judiciary be instructed to inquire into the propriety of so enacting a law, that Clerks of the Common Pleas Courts of this State shall be required in making complete records of the settlement of decedents and wards estates, that the different account current, special account current, shall be made a part of the complete record, and shall be so recorded, in the complete records.

Which,

On motion.

Was adopted.

Mr. Rice, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Judiciary Committee to whom was committed House bill No. 32, "an act to provide for taking depositions, affidavits and acknowledgements of persons in the military or naval service of the United States," have had the same under consideration and report the same back to the House and recommend its passage.

Which,

On motion,

Was laid on the table.

#### BILLS INTRODUCED.

By Mr. Woods,

House bill No. 126. A bill to amend section 5 of an act entitled, an act to authorize the construction of levees and drains, approved June 12th, 1852.

Which was read a first time, and,

On motion,

Referred to the Committee on Swamp Lands.



By Mr. Rice,

House Joint Resolution No. 14. For the purpose of taking suitable initiatory steps for the establishment of a school or schools for the reformation of criminals and mendicant children and youths.

Which was read a first time, and,

On motion,  
Referred to the Committee on Education.

By Mr. Foulke,

House bill No. 127. A bill to amend section 445, of an act entitled, an act to revise, simplify, and abridge the rules of practice, pleadings and forms in civil cases, in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18th, 1852, and to repeal all laws in conflict therewith.

Which was read a first time, and,

On motion,  
Referred to the Committee on the Judiciary.

On motion by Mr. Shuey.

*Resolved*, That the Committee on Corporations, be requested to inquire into the propriety of extending the powers of Trustees of incorporated towns, and they report by bill or otherwise.

By Mr. Branham,

House bill No. 128. A bill to amend sections 8 and 11 of an act entitled, "an act to provide for a more uniform mode of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with this act," and declaring an emergency.

Which was read a first time, and,

On motion,  
Referred to the Committee on County and Township Business.

By Mr. Beckett,

House bill No. 129. A bill to amend the ninth section of an act entitled, "an act to enforce the thirteenth article of the Constitution," approved June 18, 1852.

Which was read a first time, and,

On motion,  
Referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

By Mr. Gregory, of Warren,

House bill No. 130. A bill to amend the 786th section of article 46, of an act to revise and abridge the rules, practice, pleadings and forms in civil actions, in the Courts of this State, &c., approved June 18th, 1852.

Which was read a first time, and,

On motion,  
Laid on the table.

Mr. Shoaff of Jay, offered the following resolution :

*Resolved*, That the Committee on Benevolent Institutions, be and are hereby instructed, to inquire into the expediency of so amending the act for the incorporation of cities, as to authorize the Common Council of all cities in this State, having a population of ten thousand inhabitants or over, to establish a House of Refuge, for the reformation of juvenile delinquents, and report by bill or otherwise.

Which was agreed to.

By Mr. Newcomb,

House bill No. 131. A bill to amend section 3, of an act entitled, "an act to amend an act entitled, 'an act to repeal all general laws now in force for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same ; and to regulate such other matters as properly pertain thereto,' approved March 9, 1857," approved March 11, 1861.

Which was read a first time, and,

On motion,  
Referred to the Committee on Corporations.

Mr. Major offered the following resolution :

*Resolved*, That the Committee on the Judiciary be instructed to inquire into the expediency of so amending the election laws of this State as to make the willful violation thereof a felony, punishable in the State Prison, and that they report by bill or otherwise.

Which,

On motion,  
Was adopted.

By Mr. Ferris,

House bill No. 132. A bill to amend section 117 of an act entitled "an act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and for the establishment of township libraries, and to repeal all laws inconsistent therewith," approved March 11th, 1861.

Which was read a first time, and,

On motion,  
Referred to the Committee on Education.

Mr. Boyd, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of Daniel J. Silver and others, embracing the entire indebtedness of the State Prison North up to the 11th day of March, 1863, on account of work done on, and materials furnished for said Prison, for the sum of sixty-four thousand, one hundred and five dollars and ninety-one cents, and have had the same under consideration, and beg leave to report the following bill and recommend its passage:

House bill No. 133. A bill making appropriation to pay the indebtedness of the State Prison North on or before the 11th day of March, 1863, and declaring an emergency for the same.

Which was read a first time.

Mr. Miller, of Clinton, moved to refer the report, with bill, to Committee on Ways and Means, with instructions to allow twelve per cent. interest on claim allowed at last session.

Mr. Boyd moved to amend by inserting six per cent. as the rate of interest.

Mr. Branham moved to lay report and bill, with pending motions, on the table.

Which was agreed to.

Senate Joint Resolution No. 5 was taken up and read a second time.

Mr. Hogate moved to amend by striking out the word "passed," in line eight of preamble, and insert "pressed."

Which was agreed to.

The resolution was then passed to a third reading.

Mr. Newcomb moved to suspend the order of business and take up House bills on second reading.

Which was agreed to.

Mr. Coffroth moved to reconsider the vote just taken.

Which was agreed to.

Mr. Coffroth moved to suspend the order of business and take up Senate bill No. 39.

Which was agreed to.

Engrossed Senate bill No. 39. A bill to amend an act entitled "an act to amend section nineteen of an act to fix the time of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms," &c., approved February 15th, 1861.

Was read a second time, and passed to a third reading.

Mr. Boyd presented the claim of Charles C. Campbell, which was referred to the Committee on Claims without reading.

Mr. Lockhart presented a claim of George Arnold, which was referred to the Committee on Claims without reading.

Mr. Whiteside moved that when the House adjourn, it meet again on Tuesday morning next at nine o'clock.

Which was agreed to.

On motion by Mr. Whiteside,  
The House adjourned.

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TUESDAY MORNING, 9 o'clock, }  
February 7, 1865. }

The House met pursuant to adjournment.

On motion by Mr. Branham,  
The reading of the Journal was dispensed with.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. Newcomb,

A communication from Messrs. Morrison & Ray, in reference to a certain claim of said party, heretofore presented to the House.

Which,

On motion,

Was referred to the Committee on Claims.

By Mr. Branham,

Sundry claims audited by the Committee on Ways and Means at the last session, as follows, viz :

To A. M. Elkins.....	\$12 00
B. D. Angell .....	140 00
J. H. Wyatt.....	75 00
G. A. Bickwell.....	40 00
G. A. Bickwell.....	100 00
Grafton P. Cookerley.....	2,500 00
U. F. Mason.....	195 00
J. S. Walker.....	205 00
Larry Kenned.....	28 50
A. E. & W. H. Drapier.....	66 00
A. Wilson .....	1,071 55
James Griffin.....	55 00
H. A. Fletcher.....	723 42
Speigel, Thoms & Co.....	73 85
James Mahoney.....	27 75
Bingham, Doughty & Co.....	16 00
Indianapolis Journal Co.....	919 36
Gavin & Hord.. .....	10,000 00
P. Warner .....	2 75
Charles C. Campbell .....	179 00
Indianapolis Journal Co. ....	156 26
Julius Boetticher.....	168 48
William Braden.....	495 80
Rich'd Heninger .....	149 76
Werden & Co.....	5 00
Larry Kennedy .....	19 days' work.
Fitchey & Anderson .....	4 50
Wm. Sheets.....	86 45
Wm. Braden.....	9 85
J. H. Frazier.....	10 25
J. J. Bingham .....	721 00
Talbott & Costigan.....	5,292 50
Patrick Branin.....	13 50
James Russell.....	9 00
W. H. Drapier.....	600 00
James McLene & Co .....	222 80
L. B. Brown.....	30 00
State Board of Agriculture.....	3,000 00
W. Braden.....	13 00
Hogshire & Co.....	28 30
C. A. Ferguson.....	12 25
Deloss, Root & Co.....	32 95
Nathaniel F. Cunningham.....	$\frac{1}{4}$ of 1 $\frac{3}{4}$ c.
McCord & Wheatley .....	14 90

Thomas Dorsey.....	\$5 00
James McLene .....	17 00
Jacob Lindley.....	4 00
Thomas Barbour.....	1 50
J. B. Wilson.....	13 55
J. B. Osgood.....	58 00
J. B. Wilson.....	29 30
Merrill & Co .....	7 95
Chas. C. Hawthorn.....	13 00
C. A. Werbridge.....	7 32
Werden & Co .....	9 50
Ramsey & Hanning.....	23 80
Peter Joseph Rinehard.....	16 25
J. Renhart.....	11 75
Jno. C. Dunn .....	21 55
James G. Douglass.....	242 85
John Lanahan.....	83 00
J. S. Walker.....	7 00
Simmons & Co.....	1 25
R. L. & A. W. McOuatt.....	24 55
Ruger & Caldwell....	14 00

Which,

On motion,

Was referred to the Committee on Claims without reading.

Mr. Branham presented the claim of Turner & Dickson, which was referred to the Committee on Claims.

Mr. Groves from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of J. B. Osgood for the sum of one hundred and nineteen dollars, for painting and glazing in State House, during the year 1864, have had the same under consideration and would recommend that it be allowed and incorporated in the Specific Appropriation Bill for payment.

Mr. Buskirk moved to concur in the report of the Committee and refer the same to the Committee of Ways and Means.

Which was agreed to.

Mr. Boyd, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of J.

B. Osgood, for the sum of fifty-eight dollars, for glazing and painting done on State House in 1862, have had the same under consideration and recommend that the claim be allowed and incorporated in the Specific Appropriation Bill, for payment.

Which was,

On motion,

Referred to the Committee of Ways and Means.

Mr. Boyd, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred the claim of J. B. Osgood, for the sum of one thousand seven hundred and seventy-four dollars and forty cents, for painting and varnishing done in State House in 1865, have had the same under consideration and recommend that the claim be allowed and incorporated in the Specific Appropriation Bill, for payment.

Which,

On motion,

Was referred to the Committees of Ways and Means.

Mr. Boyd, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred the claim of Messrs. Roll and Smith, for the sum of eighty-one dollars and eighty-eight cents, for papering, carpets and curtains for the office of Superintendent of Public Instruction, have had the same under consideration and would recommend that it be referred to the Committee on Ways and Means, for payment.

Which,

On motion,

Was referred to the Committee of Ways and Means.

Mr. Cook, from the Committee on Manufactures and Commerce, made the following report :

MR. SPEAKER :

The Committee on Manufactures and Commerce, to whom was referred House bill No. 106, entitled, "A bill authorizing the construction of ware-houses for the inspection, storage and sale of

tobacco," hss had the same under consideration, and have directed me to report it back, and recommend its passage without amendment.

Which,

On motion,

Was laid on the table.

Mr. Stivers, from the Committee on County and Township Business, made the following report :

MR. SPEAKER :

The Committee on County and Township Business, to whom was referred House bill No. 53, introduced by Mr. Howard, entitled, "An act to amend sections 5 and 14, of an act entitled, An act to provide for the more uniform mode of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws in conflict with this act, approved February 18, 1859," have had the same under consideration and instruct me to report that they recommend that said bill be amended by striking out all of that part thereof that relates to section five of said act, and that that portion of the bill which proposes to amend section 14, be amended by striking out the words "two dollars and fifty cents," where the same occurs in said bill, and inserting the words "two dollars" in lieu thereof. With these amendments, the Committee recommend the passage of the bill.

Which,

On motion,

Was laid on the table.

Mr. Banta, from the Committee on County and Township Business, made the following report :

MR. SPEAKER :

The Committee on County and Township Business, to whom was referred House bill No. 42, entitled, "An act to amend sections 9, 11 and 14, of an act to provide for the more uniform mode of doing township business, and prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with this act," approved February 18, 1859, offered by Representative Ferris, have had the same under consideration, and, having duly considered the same, have instructed me to report the bill back, with a recommendation that the bill lie on the table, as, in the opinion of the Committee, the changes of the law made by the bill are inexpedient and unnecessary.

Which,

On motion,

Was laid on the table.



Mr. Shuey, from the Committee on Temperance, made the following report :

MR. SPEAKER :

The Committee to whom was referred Mr. Harrison's House bill No. 33, to amend section 8 of an act entitled "An act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, &c., would respectfully report that they have had the same under consideration. The Committee are of the opinion that the law should be amended as proposed by said bill ; but that the Committee propose to introduce a bill amending other sections of said act, in which said amendment will be fully provided for. Your Committee, therefore recommend that said bill, for the present, lie on the table.

On motion,

The report of the Committee was concurred in, and the bill and report laid on the table.

Mr. Shuey, from the Committee on Temperance, made the following report :

MR. SPEAKER :

Your Committee, to whom was referred House bill No. 93, by Mr. Kilgore, would respectfully report that they have had the same under consideration, and are of the opinion that the passage of the bill would be greatly to the advantage of the people of the State ; but they believe it is more expedient to so amend the present law on that subject as to obtain the same result, and, for that purpose, they beg leave to report the accompanying bill, and recommend that said bill (No. 93) for the present lie on the table.

Which,

On motion,

Was laid on the table.

Mr. Buskirk, from a Select Committee, made the following report :

MR. SPEAKER :

The Select Committee to whom was referred the petition of A. and W. H. Drapier, with reference to the Brevier Reports, have had the same under consideration, and have directed me to submit the following resolutions as expressive of the views of the Committee, and recommend their adoption :

*Resolved*, That the Doorkeeper be directed to contract with A. and W. H. Drapier for five hundred copies of the Brevier Legislative Register. H. J.—21.

ports, being the usual number furnished for the House every session since 1857, the same to be sent by Express, an equal number of copies to each member, as soon as possible after the adjournment of the session: *Provided* said Reports shall not cost more than two dollars per copy; that one copy for each member be bound, and that said Reports shall not be paid for until printed.

*Resolved*, That said contract is made on the express condition that said Reports shall contain a full, accurate, *verbatim* report of the speeches made in the House, and such statement of bills, resolutions, and joint resolutions, and amendments thereto, as will be sufficient to make them understood; and the House hereby reserves the right to rescind this contract on the failure of the said Drapiers to comply with any of the conditions of this contract.

Which,

On motion, by Mr. Branham,  
Was laid on the table, informally.

#### HOUSE BILLS INTRODUCED.

By Mr. Branham,

House bill No. 134. A bill requiring the Boards of County Commissioners, in the several counties of the State of Indiana, to examine the books, papers, and vouchers of any county officer in their respective counties, who may be charged with having received a greater amount of fees than he is legally entitled to receive; to determine the amount thereof, if any, and to cause suit to be brought for its recovery.

Which was read a first time.

Mr. Boyd moved to refer the bill to the Committee on County and Township Business.

Which was not agreed to.

Mr. Brown moved to refer it to the Committee on the Judiciary.

Which was agreed to.

Message from the Governor, by Mr. B. R. Sulgrove, his Private Secretary.

*To the General Assembly of the State of Indiana:*

I have received from the Secretary of State, of the United States, a copy of a Joint Resolution of Congress, passed by a vote of two thirds of each House, entitled "a Resolution submitting to the Legislatures of the several States, a proposition to amend the Constitution of the United States," which is in these words:

*“Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two thirds of both Houses concurring) that the following Article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which when ratified by three fourths of said Legislatures, shall be valid to all intents and purposes, as a part of the said Constitution namely :*

*“ARTICLE XIII.*

*“SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.*

*“SEC. 2. Congress shall have power to enforce this article by appropriate Legislation, approved February 1st, 1865.”*

Indiana as a part of the North Western Territory, was preserved from the curse of slavery by the Ordinance of seventeen hundred and eighty-seven. That Ordinance laid the foundation of the State in freedom, from which it has surely and rapidly grown. The population, wealth and prosperity of the State, as well as of the other States of the North West, fully attest the beneficence of free institutions, and our hearts should swell with gratitude for the wisdom and patriotism of our fathers in bequeathing to us the legacy of liberty. In the process of time, and by the dispensation of Providence, it has become the privilege of the people of Indiana, acting through the forms of the Constitution, and in harmony with a large majority of the people of the United States, to extend the rich blessings they have enjoyed to States and Territories that have been less fortunate.

The slavery question is presented in a form hitherto unknown in our politics. It is not a question as to the right of Congress to exclude slavery from the Territories, nor of the people of the Territories, to legislate upon the subject for themselves, nor does it involve the discussion of any doubtful powers, but is the simple proposition to amend the Constitution of the United States, in the manner prescribed by itself, so as to strike down the monster wrong which has embroiled the nation for more than half a century, and culminated in a rebellion without parallel in history, for its wickedness and waste of blood and treasure.

The existence of slavery has ever cast a dark shadow over the whole land. When we have boasted to the Old World of a Government established upon the doctrine of inherent equal rights, the despotisms and aristocracies contemptuously replied, that under it human flesh was bought and sold as merchandise, and to this we had nothing to answer. It has not only dishonored us abroad, but it has poisoned our domestic peace, setting neighbor against neighbor, and State against State, until, by its last great act of wickedness it has com-

mitted a crime for which there is no forgiveness, and for which it must die.

In the great opportunity now presented, we discern the hand of Providence, which often accomplishes its purposes through the wickedness and folly of mankind.

Slavery, always criminal and insolent from its smallest beginning, bloated with impunity and success, will perish during the war it created to enlarge its power and perpetuate its existence. Let us hasten to acquiesce in this great result, by ratifying the action of Congress, and thus become a party to the righteous deed in accordance with the unquestionable wishes of the people.

(Signed)

O. P. MORTON.

Mr. Groves moved that the consideration of the message, be made the special order for next Thursday.

Mr. Dunham moved to amend by making the time Tuesday of next week.

Mr. Bonner moved to make the subject a special order for Thursday next at 10 o'clock.

Which was agreed to.

Mr. Brown moved to take up the Joint Resolution introduced by Mr. Whiteside, referring to the same subject, and refer the same with the message to a Committee of the Whole House, and make the whole subject the special order for Thursday next, at 10 o'clock, A. M.

Which was agreed to.

Mr. Patterson asked and obtained leave of absence, on account of sickness.

Mr. Prather was granted leave of absence, on account of sickness.

By Mr. McVey,

House bill No. 135. A bill to amend the 651st section of an act to revise, simplify, and abridge the rules, practice, pleadings, and forms in civil cases in the Courts of this State; to abolish distinct forms of action at law, and to provide for the alteration of justice in a uniform mode of pleading and practice, without distinction between law and equity, passed June 18th, 1852.

Which was read a first time, and,

On motion,

Referred to the Committee on the Judiciary.

By Mr. Stringer,

House bill No. 136. A bill to amend section 8 and 11 of an act to

provide for the more uniform mode of doing township business; prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with this act, approved February 18th, 1859, and declaring an emergency for the immediate taking effect of this act.

Which was read a first time, and,

On motion,

Was referred to the Committee of Ways and Means.

By Mr. Branham,

House bill No. 137. A bill to enable the qualified electors of this State, and absent therefrom in the service of the United States, to vote.

Which was read a first time, and,

On motion,

Was referred to the Committee on the Judiciary.

Mr. Groves offered the following resolution :

WHEREAS, There is now no law on the Statute books of the State of Indiana, requiring a Judge of a Court to go out of the County where he resides, to hear or grant a writ of *habeas corpus*, unless his fees be paid by the parties before hearing said cause; and,

WHEREAS, many poor persons are made to suffer from the injustice of this rule—therefore,

*Resolved*, That the Committee on the Judiciary be instructed to inquire into the propriety of passing a law, compelling Judges to hear such cases at any point in their respective Districts, and allowing the County Commissioners to make a sufficient and proper allowance to such Judges for hearing such cases, and report by bill or otherwise.

Mr. Dunham moved to refer it to the Committee on the Judiciary.  
Which was agreed to.

Mr. Atkinson obtained leave, and presented a petition from sundry citizens of Fountain and Montgomery counties, against the increase of salaries of county officers.

Which,

On motion,

Was referred to the Committee on Fees and Salaries.

By Mr. Hunt,

House bill No. 138. A bill to amend an act entitled, an act to provide a Treasury system for the State of Indiana, for the manner of receiving, holding, and disbursing the public moneys of the State,

and for the safe keeping of public moneys, passed March 1st, 1859; approved March 5th, 1861.

Which was read a first time, and,

On motion,

Referred to the Committee on County and Township Business.

By Mr. Shuey,

House bill No. 139. An act to amend sections 3, 4, 5, 7, 9 and 11, of an act entitled, an act to regulate the sale, and license the sale of spirituous, vinous, malt and other intoxicating liquors; to prevent the adulteration of liquors; to repeal all former laws contravening the provisions of this act, and prescribing penalties for the violation thereof, approved March 5th, A. D., 1859, and prohibiting the owners and keepers of saloons, coffee-houses, &c., from evading or keeping any screens or blinds, and prescribing penalties therefor, and prescribing penalties in case of second or subsequent conviction.

Which was read a first time.

Mr. Shuey moved to lay the bill on the table, and that three hundred copies be printed for the use of the House.

Which was agreed to.

Message from the Governor, by Mr. Sulgrove, his Private Secretary.

STATE OF INDIANA, EXECUTIVE DEPARTMENT, }  
Indianapolis, February 7, 1865. }

*To the Speaker of the House :*

SIR,—I am directed by the Governor to inform the House, that he has this day approved Joint Resolution, No. 12, of the House, entitled, a Joint Resolution on behalf of the Grand Rapids and Indiana Railroad Company, asking that an extension of time be granted by the Congress of the United States to said Company to enable them to complete the construction of their road, and that the same has been reported in the office of the Secretary of State.

(Signed,)

O. P. MORTON.

Mr. Rhoads, from the Committee on Engrossed Bills, made the following report :

MR. SPEAKER :

The Joint Committee on Enrolled Bills respectfully report that Joint Resolution No. 12 was by them presented to His Excellency, the Governor, for his approval, at 9:45 A. M., February 6th, 1865.

By Mr. Branham,

House bill No. 140. A bill ratifying the action of the Governor in settling and discharging the State's quota of the direct tax levied by Congress in 1861, and authorizing him to settle all unsettled claims of the State against the United States.

Which was read a first time, and,

On motion,

Referred to the Committee on the Judiciary.

By Mr. Dunham,

House bill No. 141. A bill to give Circuit and Common Pleas Judges additional powers in civil and criminal cases during vacation.

Which was read a first time.

Mr. Dunham moved that it be deemed expedient to suspend the Constitutional rule, requiring bills to be read on three several days, and read the bill a second time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Beckett, Bird, Bonner, Boyd, Branham, Brown, Burton, Buskirk, Chambers, Church, Collins, Cook, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Groves, Harrison, Henricks, Hershey, Hogate, Hoover, Humphreys, Hunt, James, Johnson, Kilgore, Lee, Lemon, Lopp, Meredith, Montgomery, McVey, Newcomb, O'Brien, Osborn, Perigo, Rhoads, Richards, Riford, Shuey, Sim, Spencer, Steward, Stivers, Stuckey, Sullivan of Scott, Thatcher, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—66.

Those who voted in the negative were,

Messrs. Banta, Burnes, Cox, Reese and Stringer—5.

So it was deemed expedient to suspend the Constitutional rule.

House bill No. 141 was read a second time, and,

On motion by Mr. Dunham,

Referred to the Committee on the Judiciary.

By Mr. Thatcher,

House bill No. 142. A bill to amend sections four and five of an

act entitled "an act to authorize Judges of the Circuit Courts and Common Pleas Courts to appoint Master Commissioners, and defining the duties and fixing the compensation of such Master Commissioners," approved March 2d, 1853.

Which was read a first time, and,

On motion,

Referred to the Committee on the Judiciary.

Message from the Governor, by Mr. Sulgrove, his Private Secretary.

*To the House of Representatives of the General Assembly of the State of Indiana :*

I have the honor to lay before you, for your consideration, with an accompanying letter from the Secretary of State of the United States, inclosing a letter from the Hon. Austin S. Morrill :

DEPARTMENT OF STATE,  
WASHINGTON, 2d February, 1865.

TO HIS EXCELLENCY,

*The Governor of the State of Indiana, Indianapolis, Indiana :*

SIR :—I have the honor to transmit to your Excellency a copy of a letter of the 25th ult., addressed to the President, by the Hon. Justin S. Morrill, of the House of Representatives, inviting his attention to the second section of the Act of Congress of July 2d, 1864, on the subject of Statues for the Old Hall of the House of Representatives. The President directed this Department to request through your Excellency that the State of Indiana may take the matter into consideration.

I have the honor to be your Excellency's

Most obedient servant,

F. W. SEWARD,  
*Acting Secretary.*

HOUSE OF REPRESENTATIVES, COMMITTEE OF WAYS AND MEANS, }  
Washington, D. C., January 25, 1865. }

DEAR SIR :

Permit me respectfully to call your attention to section 2 of the act of Congress, of July 2, 1864, (page 347, pamphlet edition,) which set apart the old Hall of the House of Representatives for a hall of statuary, by which you were authorized to invite each and all the States to provide and furnish statues in marble or bronze, not exceeding two in number, for each State, of deceased persons who have been citizens thereof, and illustrious for their historic renown, or from distinguished civic, military, or such as each State shall determine to



be worthy of this national commemoration, and when so finished the same shall be placed in the old Hall of the House of Representatives, in the Capitol of the United States, which is set apart, or so much thereof as may be necessary, as a national statuary hall, for the purposes herein indicated.

That you approve of the high purpose of this law I have no doubt, and in view of the fact that several of the State Legislatures are now in session, but some may adjourn, may I ask you to take such action at once as you may deem appropriate, in order to notify and give the invitation provided for the Governors of the several States, and so that they can take early steps to carry the purpose of Congress into full effect.

With high respect, your most obedient servant,

JUSTIN S. MORRILL.

*To the President.*

Mr. Boyd moved to refer said message and subject to the Committee on Ways and Means.

Which was not agreed to.

Mr. Whiteside moved to refer to a Special Committee of five.  
Which was agreed to.

By Mr. Burnes,

House bill No. 143. A bill permitting attorneys to appear in State prosecutions before Justices of the Peace, and to provide for their compensation.

Which was read a first time, and,

On motion,

Referred to the Committee on the Judiciary.

By Mr. Meredith.

House bill No. 144. A bill to authorize, regulate and confirm the sale of railroads, to enable purchasers of the same to form corporations and to exercise corporate powers and to define their rights, powers and privileges, to enable such corporations to purchase and construct connecting and branch roads, and to operate and maintain the same.

Which was read a first time, and,

On motion, by Mr. Meredith,

Referred to the Committee on Corporations and 200 copies ordered to be printed.

The Speaker laid before the house the following communications from the Superintendent of Public Instruction :

DEPARTMENT OF PUBLIC INSTRUCTION,

OFFICE OF SUPERINTENDENT,  
Indianapolis, Feb. 4, 1865. }*Hon. John U. Pettit, Speaker of the House of Representatives :*

Please permit me to present, through your hands, to the body over which you preside, the accompanying biennial report of the State Superintendent of Public Instruction. I have, according to law, had ten thousand copies of it printed.

Very respectfully your obedient servant,

SAMUEL L. RUGG.

DEPARTMENT OF PUBLIC INSTRUCTION, OFFICE OF SUPERINTENDENT, }  
Indianapolis, February 4, 1865. }*To the House of Representatives of the State of Indiana, in Session :*

To the enclosed resolution of the House, offered by Mr. Rice, and this moment received, I have the honor to respond: That at the date of the last official reports on this subject, March, 1864, the amount of school funds which was lying idle in the county treasuries and unloaned by County Auditors for want of borrowers was, in the aggregate,.....\$178,719 32  
Add to this the amount reported lost..... 38,975 33

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Gives total fund which is unproductive.....\$238,064 71

For full details of these amounts, the House is referred to Tabular Statement No. V., commencing on the 217th page of the Appendix to my Biennial Report to the present General Assembly, a copy of which is, with this communication, respectfully submitted.

Very respectfully,

Your obedient servant,

SAM'L L. RUGG.

On motion,

The foregoing communications were referred to the Committee on Education.

## ORDERS OF THE DAY.

Engrossed Senate bill No. 39. An act to amend an act entitled an act to amend section 19, of an act to fix the time of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof and making all process from the present Common Pleas Courts returnable to such terms &c., approved Feb. 15th, 1861, was taken up.

Mr. Newcomb moved that the bill be read a third time now.  
Which was agreed to.

So Senate bill No. 39 was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Branham, Burnes, Burton, Buskirk, Chambers, Church, Collins, Colover, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Groves, Harrison, Hershey, Hogate, Hoover, Humphreys, Hunt, James, Johnson, Kilgore, Lee, Lemon, Lopp, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Osborn, Perigo, Puett, Rhoads, Richards, Riford, Shuey, Sim, Spencer, Steward, Stivers, Stringer Stuckey, Thatcher, Veach, Welch, White, Whiteside, Woodruff, Woods, Wright and Mr. Speaker—68.

None voting in the negative.

The question being, shall the title as read, stand as the title of the bill.

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

Engrossed Senate bill No. 3. A bill to legalize the issuing of bonds and making of appropriations and the levy and assessment for taxes in certain cases was taken up.

The amendments recommended by the Committee were then read as follows:

1st. Insert after the word "issue" in the fourth line of section 1st, the following words, "by or under the authority of."

Which,

On motion,

Was adopted.

2nd. Amend said section by striking out the word "township."

Which,

On motion,

Was adopted.

3d. Amend the 2nd section of said bill by adding thereto the following:

*“Provided, That in all cases where one or more townships of a county had relieved the township of any given draft, without any appropriation in aid thereof from the county, and any debt shall have been created by the action of the County Commissioners to pay bounties to relieve the residue of the township from such draft, the taxes hereafter levied for the payment of principal or interest of such indebtedness, shall be levied only on the property and poll liable to taxation in the township.”*

Mr. Gregory, of Warren, offered the following amendment to the amendment of the Committee.

Any person or persons who have advanced any amount of money to relieve their respective townships from a draft, on former calls for troops of the General Government, shall be allowed a credit for the same on the payment of their taxes that may be assessed against them on satisfactory proof being made to the County Commissioners of the amount so paid, provided, that said amount shall not exceed the amount of the special tax assessed against them for that purpose.

Mr. Newcomb moved to refer the bill and pending amendments to a select Committee of five.

Which was agreed to.

Engrossed Senate Joint Resolution No. 5. A Joint Resolution instructing our Senators and requesting our Representatives in Congress, to secure the passage of a law placing certain persons therein named upon the pension rolls,

Was taken up, and the question being, shall the joint resolution be read a third time now?

It was agreed to.

So Senate Joint Resolution No. 5, was read a third time.

And the question being, shall said joint resolution pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burton, Buskirk, Chambers, Church, Collins, Colover, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Harrison, Hershey, Hogate, Hoover, Humphreys, Hunt, James, Johnson, Kilgore, Lee, Lemon, Lopp, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Osborn, Perigo, Puett, Rhoads, Richards, Riford, Shuey, Sim, Steward, Stivers, Stringer, Stuckey, Thatcher, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Zeigler and Mr. Speaker—67.

None voting in the negative.

The question being, shall the title as read, stand as the title to said Joint resolution?

It was agreed to.

So the Senate Joint Resolution, No. 5, passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Boyd moved to suspend the order of business, and take up House bill No. 133.

Pending which,

On motion by Mr. Brown,  
The House adjourned.

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WEDNESDAY MORNING, 9 o'clock, }  
February 8, 1865. }

The House met pursuant to adjournment.

The Speaker ordered a call of the House, with the following result:

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Branham, Burnes, Chambers, Church, Collins, Colover, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Hargrove, Harrison, Henricks, Hershey, Hogate, Hoover, Humphreys, Hunt, James, Johnson, Kilgore, Lee, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Rhoads, Richards, Richardson, Riford, Sabin, Shuey, Sim, Spencer, Steward, Stringer, Stuckey, Sullivan of Posey and Vanderburg, Veach, Whiteside, Willis, Woodruff, Woods, Zeigler and Mr. Speaker.—71.

There being a quorum present the further call was dispensed with

The Clerk proceeded to read the Journal, when,

On motion by Mr. Church,

The further reading thereof was dispensed with.

The Speaker announced the following Special Committee on Senate bill No. 3:

Messrs. Gregory of Warren, Newcomb, Church, Spencer and Gregg.

PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Branham,

A claim from Spiegel, Thoms & Co., for \$464.85.

Which was referred to the Committee on Claims without reading.

By Mr. Church,

A petition from sundry citizens of Porter county, praying for and proposing an amendment to the State Constitution, and requesting our Representatives and instructing our Senators to use their influence to have the same amendments incorporated in the Constitution of the United States.

On motion by Mr. Church,

The petition was referred to the Special Committee on Constitutional Amendments, heretofore appointed.

By Mr. McVey,

A petition from sundry citizens of Marion county, praying for a change in the Constitution of the State.

Which,

On motion,

Was referred to the Special Committee on Constitutional Amendments, heretofore appointed.

By Mr. Newcomb,

A claim from J. McLene, for stationery furnished the General Assembly in 1863, \$17.00.

Which,

On motion,

Was referred to the Committee on Claims.

By Mr. Whiteside,

A remonstrance from the Attorneys of Cass county, remonstrating against the recent changes made in their Circuit Court terms.

Which,

On motion by Mr. Whitesides,

Was referred to the Committee on the Organization of Courts of Justice.

## REPORTS FROM STANDING COMMITTEES.

Mr. Miller, of Tippecanoe, from the Committee on the Organization of Courts of Justice, made the following report :

MR. SPEAKER :

The Committee to whom was referred Senate bill No. 12, "an act authorizing creditors, in certain cases, to bring action on their claims before they are due, and have attachment against the property of the debtor ; to garnishee property, money, credits and effects, and prescribing the manner of proceeding therein, have had the same under consideration, and direct me to report the same back to the House and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Miller, of Tippecanoe, from the same committee, made the following report :

MR. SPEAKER :

The Committee to whom was referred Senate bill No. 55, "an act to fix the times of holding the Courts of Common Pleas in the Fifth Judicial District, repealing all other laws on the same subject, and declaring when this act shall take effect," have had the same under consideration, and direct me to report the same back to the House and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Gregory, of Warren, from the Committee on Education, made the following report :

MR. SPEAKER :

The Committee on Education, to whom was referred House bill No. 132, offered by Mr. Ferris, of Ripley county, to amend the 117 section of the school law of 1861, beg leave to report that they have examined the same, and report that the Committee on Education are preparing, and will present to this House a new school bill, which will embody the views of said Committee on the subject, referred to them in said bill, which bill will be presented this week. They, therefore, return said bill and recommend that no further action be taken on the same for the present.

The report was concurred in, and the bill laid on the table.

Mr. Henricks from the Committee on Claims made the following report :

MR. SPEAKER :

The Committee on Claims to whom was referred House bill No. 98, for the relief of Thomas Coleman, have had the same under consideration and have directed me to report the same back to the House and ask that it be laid upon the table, and that the Committee on Ways and Means be instructed to insert an allowance of \$199 93 in the specific appropriation bill for the relief of the said Thomas Coleman.

Mr. Newcomb moved to re-commit the report to the Committee with instructions for them to prepare a bill making the county of Tippecanoe pay the claim, instead of the State.

Mr. Miller, of Tippecanoe, moved to amend by making it a question of inquiry, whether or not, the county of Tippecanoe ever received the money.

The motion as amended, was then agreed to.

Mr. Stringer, from the Committee on Roads, made the following report :

MR. SPEAKER :

The Committee on Roads, to whom was referred House Resolution No. 10, introduced by Mr. Montgomery, inquiring into the expediency of changing the Road Law so as to have all the work done in the early part of the season, also to allow Supervisors to collect more than one dollar per day for failure to work on roads, and to allow Supervisors to pay more than seventy-five cents per day for work on roads, have had the same under consideration and direct me to report that there has been already a bill introduced into the House upon the same subject and therefore recommend that said resolution do lie on the table.

Which,

On motion,

Was concurred in.

Mr. Stringer, from the Committee on Roads, made the following report :

MR. SPEAKER :

The Committee on Roads, to whom was referred House Resolution No. 11, introduced by Mr. Goodman, have had the same under con-



sideration and direct me to report that the Committee deem it inexpedient to report a bill authorizing County Boards to make appropriations to open, build and repair roads and highways, as asked for by said resolution and would therefore report said resolution back to the House and recommend that the same do lie on the table.

Which,

On motion,

Was concurred in.

Mr. Lockhart, from the Committee on Railroads, made the following minority report:

MR. SPEAKER:

The minority of the Committee on Railroads to whom was referred House bill No. 59, have had the same under consideration and have instructed me to report the following amendment, and when so amended, recommend its passage.

2d. In making sale of any of said Canals by their respective Boards, the same shall be sold only at public sale, at the chief office of the Canal at not less than the appraised value thereof, as real estate is sold on execution. The Judge of the Circuit Court through whose Circuit said Canal is located, shall appoint three disinterested free-holders of the county in which the chief office of said Canal is located, and said Board shall give due notice of said sale for not less than 60 days in some one of the newspapers of the cities of New York and Cincinnati, as well as in the several newspapers published in the counties in which said Canal is located.

3d. The purchaser or purchasers of said Canal at said sale, shall not lay their Railroad track on or upon the bed of said Canal, but shall be confined to the tow path or land adjacent thereto, so as not to destroy or injure the free flow of water for hydraulic or manufacturing purposes; but shall keep the Canal in good ordinary repair, so as to afford a fair and reasonable supply of water to all present lessees, who shall have the right to renew their leases, from time to time, at fair and reasonable rates, and any wilful violations of any of the clauses of this section by the said purchaser, shall subject him to a penalty of forfeiture of all franchises and rights of way under said purchase and original charter.

4th. In making sale of all or any of said Canals, the same shall be sold at public sale to the highest and best bidder; and the proceeds of said sale applied to the liquidation of all liens on said Canal, pro rata on the same: *Provided, however*, that no lease or grant, or conveyance, shall be made by any Canal Company of their Canal right

of way or franchise with the property, but shall be appraised as aforesaid, and the full appraised value paid therefor by the purchaser.

Which,

On motion,

Was laid on the table.

Mr. Lockhart, from the Committee on Manufactures and Commerce, made the following report :

MR. SPEAKER :

The Committee on Manufactures and Commerce, to whom was referred House bill No. 122, have had the same under consideration, and have instructed me to report the same back, and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Whiteside, from the Committee on Public Printing, made the following report :

MR. SPEAKER :

The Committee on Public Printing, to whom was referred the resolution of Mr. Montgomery, inquiring into the expediency of authorizing County newspapers to publish the laws of each General Assembly, beg leave to report the accompanying bill.

House bill No. 145. A bill to authorize the publication of the Acts of the General Assembly in County newspapers.

Which was read a first time.

On motion,

The Report and bill were referred to the Committee on Ways and Means.

Mr. Montgomery, from the Committee on Public Printing, made the following report :

MR. SPEAKER :

The Committee on Public Printing, to whom was referred the Publishers' Memorial, asking the amendment of the law in regard to estrays and articles adrift, beg leave to report the accompanying bill.

House bill No. 147. A bill to amend section six of an act entitled "an act regulating estrays and articles adrift," approved June 16, 1852.

Which was read a first time.

On motion,

The report and bill were laid on the table.

Message from the Senate by Mr. Whittlesey, their Secretary.

MR. SPEAKER :

I am directed by the Senate to return to the House of Representatives Enrolled Joint Resolution of the Senate, No. 5. A Joint Resolution, instructing our Senators and requesting our Representatives in Congress to secure the passage of a law, placing certain persons therein named, upon the Pension Rolls.

For the signature of the Speaker.

#### BILLS INTRODUCED.

By Mr. Cox,

House bill No. 146. A bill to amend section third of an act entitled "an act for the regulation of weights and measures," approved June 9th, 1852.

Which,

On motion,

Referred to the Committee on County and Township Business.

By Mr. Miller, of Clinton,

House bill No. 148. A bill to amend the twenty-second section of an act entitled "an act defining misdemeanors, and prescribing punishment therefor," approved June 14th, 1852.

Which was read a first time, and,

On motion,

Referred to the Committee on County and Township Business.

By Mr. Foulke,

House bill No. 149. A bill to enable the Board of Directors of any Turnpike Company to change the time of holding the election of Directors.

Which was read a first time, and,

On motion,

Referred to the Committee on Corporations.

By Mr. Stringer,

House bill No. 150. A bill prescribing the number of Senators and Representatives of the General Assembly of the State of Indiana.

Which was read a first time, and,

On motion,

Referred to the Committee on the Judiciary.

By Mr. Kilgore,

House bill No. 151. A bill to encourage the re-publication of Blackford's Reports, and appropriating money to pay for the same.

Which was read a first time, and,

On motion,

Referred to the Committee on the Judiciary.

By Mr. Humphreys,

House bill No. 152. A bill to amend sections 82d, 83d, and 85th, of an act entitled "an act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith; and to establish Township Libraries, and for the regulation thereof," approved March 5th, 1855.

Which was read a first time, and,

On motion,

Referred to the Committee on Education.

Mr. Newcomb moved that Mr. Miller, of Tippecanoe, be added to the Committee on Elections.

Which was agreed to.

The Speaker announced that he had signed House Joint Resolution No. 5.

#### SENATE BILLS ON THIRD READING.

Senate Joint Resolution No. 10. A Joint Resolution relative to the establishment of a Bonded Tobacco Warehouse at Evansville.

Was read a third time.

The question being, shall the Joint Resolution pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Bird, Bonner, Boyd, Brown, Burnes, Burton, Buskirk, Chambers, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Warren, Hargrove, Harrison, Henricks, Hershey, Hogate, Hoover, Humphreys, Hunt, James, Johnson, Kilgore, Lee, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Rhoads, Richards, Riford, Sabin, Sim, Spencer, Steward, Stivers, Stringer, Stuckey, Sullivan of Posey and Vanderburg, Trusler, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Zeigler, and Mr. Speaker—69.

Those who voted in the negative were,

Messrs. Collins and Thatcher—2.

The question being, shall the title, as read, stand as the title of the Joint Resolution?

It was so ordered.

So the Joint Resolution passed.

*Ordered*, that the Clerk inform the Senate thereof.

Mr. Gregg moved to suspend the order of business and take up Engrossed Senate bill No. 55.

Which was agreed to.

Engrossed Senate bill No. 55. A bill to fix the times of holding the Court of Common Pleas in the Fifth Judicial District, repealing all other laws on the same subject, and declaring when this act shall take effect.

Was read a second time.

Mr. Gregg moved that it be deemed expedient to suspend the Constitutional Rule, requiring the reading of bills on three several days, and that Senate bill No. 55 be read a third time now.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Boyd, Branham, Brown, Burnes, Burton, Buskirk, Chambers, Church, Collins, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Hargrove, Harrison, Henricks, Hershey, Hogate, Humphreys, Johnson, Lemon, Lockhart, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Richards, Richardson, Sabin, Shuey, Sim, Spencer, Steward, Stivers, Stringer, Stuckey, Sullivan of Posey and Vanderburg, Thatcher, Trusler, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Zeigler and Mr. Speaker—68.

Those who voted in the negative were,

Messrs. Glazebrook, Hoover, Lee, Lopp and Milroy—5.

So it was deemed expedient to suspend the Constitutional rule, and Senate bill No. 55 was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Bonner, Boyd,

Branham, Brown, Burnes, Burton, Buskirk, Chambers, Church, Collins, Colover, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Hargrove, Henricks, Hershey, Hogate, Hoover, Humphreys, Hunt, Johnson, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Osborn, Perigo, Rhoads, Richards, Richardson, Riford, Sabin, Shuey, Spencer, Steward, Stivers, Stringer, Stuckey, Sullivan of Posey and Vanderburg, Thatcher, Trusler, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Zeigler and Mr. Speaker—74.

Those who voted in the negative were,

Messrs. Lee and Milroy—2.

The question being, shall the title as read, stand as the title of the bill?

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

Engrossed Senate bill No. 23. A bill to amend section number seventy-six of an act entitled "an act defining misdemeanors and prescribing punishment therefore," approved June 14th, 1852, was read a third time.

The question being, shall the bill pass.

Those who voted in the affirmative were,

Messrs. Abbett, Banta, Beckett, Bonner, Boyd, Burnes, Chambers, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Hargrove, Henricks, Hershey, Hogate, Hoover, James, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, O'Brien, Olleman, Perigo, Rhoads, Richardson, Riford, Shuey, Sim, Spencer, Steward, Stuckey, Sullivan of Posey and Vanderburg, Trusler, Veach, Welsh, Whiteside, Willis, Woodruff, Woods and Zeigler—54.

Those who voted in the negative were,

Messrs. Atkinson, Brown, Buskirk, Collins, Colover, Dunham, Glazebrook, Harrison, Hunt, Lee, Lemon, Lopp, Newcomb, Osborn, Richards, Stringer, Thatcher, White and Mr. Speaker—19.

The question being, shall the title as read, stand as the title of the bill?

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

Senate bill No. 14. A bill to amend an act in relation to County Treasurers, approved June 4th, 1852, and declaring an emergency,  
Was taken up.

Mr. Trusler moved to reconsider the vote by which the amendments heretofore reported by the Committee on the Judiciary, were adopted.  
Which was agreed to.

Mr. Trusler moved to amend, by inserting in the proper place, the following: "and all other officers and the sureties, whose bonds are required by law to be approved by the County Board, shall be done."

Mr. Buskirk moved to recommit the bill to the Committee on the Judiciary, with the following instructions :

"Amend so as to extend the provisions of the bill to all official bonds, and the bonds of administrators, executors and guardians, and all persons acting in a fiduciary capacity."

Which was agreed to.

#### HOUSE BILLS ON SECOND READING.

House bill No. 3, was read a second time, and,

On motion, by Mr. Rhoads,

Laid on the table.

House bill No. 64, was read a second time, and passed to a third reading.

House bill No. 67, was read a second time, and passed to a third reading.

House bill No. 72. A bill to reimburse Samuel H. Patterson, late lessee of the Indiana State Prison, for money expended by him on account of work and labor rendered by sundry convicts during said Patterson's lease of said Prison,

Was read a second time.

Mr. Henricks moved to amend, by inserting in the bill at the proper place, the words "the additional sum of three hundred dollars, for attorneys' fees."

Which was agreed to.

The bill was ordered engrossed, and passed to a third reading.

House Joint Resolution No. 11, was taken up, and read a second time.

Said Joint Resolution was ordered to be engrossed, and passed to a third reading.

House bill No. 19. A bill to amend an act entitled, an act in relation to witnesses, and to repeal section 238 of article 13, of the act entitled, an act to revise, simplify, and abridge the rules, practice, pleadings, and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18th, 1852, and to repeal all laws inconsistent therewith, and providing when the act shall take effect and be in force, which took effect and went into force March 17th, 1861.

Was read a second time.

Mr. Newcomb moved that it be deemed expedient to suspend the Constitutional rule, requiring bills to be read on three several days, and read the bill a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burnes, Buskirk, Chambers, Church, Cook, Cox, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Harrison, Henricks, Hershey, Hogate, James, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Richardson, Riford, Sabin, Shuey, Sim, Steward, Stivers, Veach, Welch, White, Whiteside, Woodruff, Woods and Zeigler—49.

Those who voted in the negative were,

Messrs. Beckett, Bird, Burton, Collins, Colover, Croan, Glazebrook, Hargrove, Hoover, Humphreys, Hunt, Lee, Lemon, Lopp, Milroy, O'Brien, Osborn, Perigo, Richards, Spencer, Stringer, Stuckey and Thatcher—23.

So it was deemed expedient to suspend the Constitutional rule, and read House bill No. 19, a third time now.

House bill No. 19 was read a third time, and the question being shall the bill pass?



Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Branham, Burnes, Buskirk, Chambers, Church, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Hargrove, Harrison, Henricks, Hershey, Hogate, Hoover, Humphreys, Hunt, James, Johnson, Kilgore, Lasselle, Lemon, Lockhart, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Rhoads, Richards, Richardson, Riford, Sabin, Shuey, Sim, Spencer, Steward, Stivers, Stringer, Stuckey, Sullivan of Posey and Vanderbug, Thatcher, Trusler, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Zeigler and Mr. Speaker—75.

Those who voted in the negative were,

Messrs. Collins and Colover—2.

The question being, shall the title as reported, stand as the title of the bill?

It was so agreed.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Branham moved that when the House adjourn, it be till to 2 o'clock, P. M.

Which was agreed to.

Mr. Rhoads moved that the House do now adjourn.

Which was agreed to.

2 O'CLOCK, P. M.

The House met.

The Speaker ordered a call of the House, when the following members answered to their names.

Messrs. Abbett, Banta, Benner, Branham, Brown, Burnes, Buskirk,

Chambers, Church, Collins, Colover, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Harrison, Henricks, Hershey, Hogate, Hoover, Humphreys, Hunt, James, Johnson, Kilgore, Lee, Lemon, Lockhart, Lopp, Major, Meredith, Milroy, Montgomery, O'Brien, Osborn, Perigo, Rhoads, Richards, Richardson, Riford, Sabin, Shuey, Sim, Spencer, Steward, Stenger, Stivers, Stringer, Stuckey, Thatcher, Trusler, Veach, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—68.

The Committee on Elections obtained leave of absence for this afternoon.

Messrs. Miller, of Clinton, and Brown, were granted leave of absence for this afternoon.

The Speaker announced the following Select Committee on Securities from Insurance Companies:

Messrs. Shuey, Chambers and Coffroth.

The Speaker announced the following Special Committee of five on Statuary proposed by act of Congress:

Messrs. Whiteside, Hogate, Brown, Rhoads and Emerson.

#### HOUSE BILLS ON SECOND READING.

House bill No. 29, was read a second time, ordered to be engrossed, and passed to a third reading.

House bill No. 31, was read a second time, ordered to be engrossed, and passed to a third reading.

House bill No. 32, was read a second time, ordered to be engrossed, and passed to a second reading.

House bill No. 34, was read a second time.

The amendments heretofore reported were read.

Mr. Buskirk moved to refer the bill and pending amendments to the Committee on the Judiciary.

Which was agreed to.

House bill No. 35, was read a second time.

Mr. Dunham moved to lay the bill on the table.

Which was not agreed to.

Mr. Buskirk offered the following amendment :

*Provided*, That any person now holding any of the offices hereinbefore stated, may be permitted to close up any litigated business that such person may now be employed in, but this shall not extend to ordinary probate business, and shall not permit such person to engage in any new business.

Mr. Dunham offered the following amendment :

Amend, so as to make it apply to officers of the court of which he is an officer, principal or deputy, or in any case appealed from the Court of which he is such officer.

Mr. Buskirk offered the following further amendment :

“To enquire into the expediency of allowing such officers to practice in other counties than the one in which they may hold their offices.”

Mr. Dunham moved to refer the bill and pending amendments to the Committee on the Judiciary.

Which was agreed to.

House bill No. 43, was read a second time, and ordered to be engrossed, and pass to a third reading.

House bill No. 49 was read a second time, ordered to be engrossed, and pass to a third reading.

House bill No. 52 was read a second time, ordered to be engrossed, and pass to a third reading.

House bill No. 53 was read a second time.

The amendments recommended by the Committee were read as follows :

1st. By striking out all that part thereof that relates to section five of said act.

Which,

On motion,

Was adopted.

2d. And that that portion of said bill, which proposes to amend section fourteen, be amended by striking out the words “two dollars and fifty cents,” where the same occurs in said bill, and inserting the words “two dollars,” in lieu thereof.

Which was not adopted.

Mr. Sabin moved that the Trustees be allowed six cents mileage, going each way.

Which was not agreed to.

The bill was then ordered to be engrossed, and pass to a third reading.

House bill No. 55 was read a second time, ordered to be engrossed, and pass to a third reading.

House bill No. 57 was read a second time, ordered to be engrossed, and pass to a third reading.

House bill No. 58 was read a second time, ordered to be engrossed, and passed to a third reading.

House bill No. 59 was read a second time.

Mr. Lockhart moved to refer the bill and amendments, heretofore reported, to the Committee on Railroads.

Which was agreed to.

Mr. Trusler, by unanimous consent, presented a petition from sundry citizens of Fayette county, on the subject proposed by said bill.

Which,

On motion,

Was referred to the Committee on Railroads.

House bill No. 62 was read a second time.

Mr. Church offered the following amendment.

Amend by inserting after "incorporated city," the words, "incorporated towns."

Which,

On motion,

Was adopted.

The bill, as amended, was then ordered to be engrossed, and pass to a third reading.

House bill No. 68 was read a second time, ordered to be engrossed, and passed to a third reading.

House bill No. 75 was read a second time, ordered to be engrossed, and passed to a third reading.

House bill No. 78 was read a second time, and,

On motion by Mr. Johnson,

Was referred to the Committee on Rights and Privileges of the Inhabitants of the State.

House bill No. 79 was read a second time.

The amendment reported by the Committee, namely :

Amend by striking out all of section thirty-three, declaring an emergency, &c.,

Was read, and on motion, adopted.

The bill, as amended, was then ordered to be engrossed, and passed to a third reading.

House bill No. 82 was read a second time, ordered to be engrossed and passed to a third reading.

House bill No. 86 was read a second time.

Mr. Woods offered the following amendment :

Amend by inserting an additional section, as follows, to-wit :

“Section —. It being necessary that the above work should be commenced and completed as soon as possible, it is therefore declared that an emergency exists, and this act shall take effect, and be in force from and after its passage.”

Which,

On motion,

Was adopted.

The bill, as amended, was then ordered to be engrossed, and passed to a third reading.

House bill No. 88 was read a second time, ordered to be engrossed, and passed to a third reading.

House bill No. 89 was read a second time, ordered to be engrossed, and passed to a third reading.

House bill No. 106 was read a second time, ordered to be engrossed, and passed to a third reading.

House bill No. 107 was read a second time.

Mr. Branham moved to refer the bill to the Committee on the Judiciary, and that two hundred copies be ordered to be printed.

Which was agreed to.

House bill No. 122 was read a second time, ordered to be engrossed, and passed to a third reading.

House bill No. 133 was read a second time.

Mr. Branham moved to amend by inserting in the blank, where the same properly occurs, "six per cent. interest."

Pending which,  
By unanimous consent,  
The bill was passed over informally till to-morrow.

House bill No. 139 was read a first time.

Mr. Dunham moved to refer the bill to the Committee on Rights and Privileges of the Inhabitants of the State.

Mr. Gregory, of Warren, moved to amend by referring it to the Committee on Temperance.

Mr. Buskirk moved to lay the bill on the table, informally, until the same had been printed, as heretofore ordered.

Which was agreed to.

The Speaker laid before the House the following report from the Chairman of the Committee on Engrossed Bills :

MR. SPEAKER :

I am directed by the Committee on Engrossed Bills, to report to the House that they have examined engrossed House bills Nos. 64, 67 and 72, and engrossed Joint Resolution No. 11, and find the same properly engrossed.

Which was,  
On motion,  
Laid on the table.

Mr. Branham, by unanimous consent, introduced

House bill No. 153. A bill ratifying the action of the Governor in procuring an advance of two hundred and fifty thousand dollars from the President of the United States, for the preparation of troops for the service of the United States, and for the defence of the State, and directing him to pay the unexpended balance thereof into the Treasury, and to account therefor, with the portion expended, to the President of the United States as an advance to the State.

Which was read a first time, and,  
On motion by Mr. Branham,  
Was referred to the Committee on the Judiciary.

On motion by Mr. Burnes,  
The House adjourned.

*Thursday*  
 TUESDAY MORNING, 9 o'clock,  
 February 9, 1865.

The House met pursuant to adjournment.

The Speaker ordered a call of the House, when the following members answered to their names :

Messrs. Abbett, Atkinson, Banta, Bird, Bonner, Boyd, Brown, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Collins, Colover, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Kilgore, Lee, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Montgomery, Newcomb, O'Brien, Olleman, Osborn, Perigo, Puett, Reece, Rhoads, Richards, Richardson, Riford, Sabin, Shuey, Sim. Spencer, Steward, Stringer, Stivers, Stenger, Stuckey, Sullivan of Scott, Sullivan of Posey and Vanderburg, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker.—83.

The Clerk proceeded to read the Journal, when.

On motion by Mr. Buskirk,  
 The further reading thereof was dispensed with.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. Trusler,

A memorial of James Herron, Secretary of the White Water Valley Canal Company, and 67 other citizens of Fayette county, praying for the passage of a law authorizing the construction of a Railroad on the line of the White Water Canal.

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. James,

A petition on the same subject.

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. Sim,

A petition from sundry citizens of Wayne county, on the same subject.

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. Wright,

A petition from sundry citizens along Whitewater Valley, on the subject of the railroad proposed there.

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. Steward,

A petition on the same subject,

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. Stringer,

A petition on the same subject.

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. Foulke,

A petition on the same subject.

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. Willis,

A petition on the same subject.

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. Bonner,

A petition on the same subject.

Which,

On motion,

Was referred to the Committee on Railroads.



By Mr. Kilgore,

A petition on same subject.

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. Chambers,

A petition on same subject.

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. Wright,

A petition on same subject.

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. Brown,

A petition on same subject.

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. Ferris,

A petition on same subject.

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. Gregory,

A petition on same subject.

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. Woods,

A claim of Aaron N. Hart.

Which,

On motion by Mr. Woods,

Was referred to the Committee on Claims.

H. J.—23.

By Mr. Whiteside,

The claim of Allen W. Smith, for damages done to fence, \$40.00. Also, the claim of Norman Fletcher, for expenses of Post Commandant at Wabash, \$12.00.

Which,

On motion,

Was referred to the Committee on Claims.

By Mr. Hargrove,

A petition on behalf of the citizens of Gibson county, praying for an amendment to the State Constitution, and that our Representatives and Senators be requested to use their influence to have the same incorporated in the Constitution of the United States.

Which,

On motion by Mr. Hargrove,

Was referred to the Special Committee on Constitutional Amendments.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to return to the House, for your signature,

Enrolled Act No. 39, of the Senate. An act to amend an act entitled "an act to amend section nineteen of an act to fix the time of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, &c.," approved February 15th, 1861.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Gregory, of Warren, from the Committee on Education, made the following report:

MR. SPEAKER:

The Committee on Education, to whom was referred House bill No. 152, offered by Mr. Humphreys, of Green County, to amend sections 82, 83 and 85, of the School Law, approved March 1855, beg leave to report that they have examined said bill and report that the School Law of 1855 was superceded by the School Law of 1861, that therefore said School Law of 1855 is not in force. Your Committee however would further report that the matters asked to be

remedied in said bill No. 152 are receiving the due consideration of your said Committee, and their views on that subject will be presented in a new School bill which will be presented to the House this week. They therefore recommend that no further action be had on said bill No. 152 for the present.

Mr. Major, from the Committee on Fees and Salaries, made the following report:

MR. SPEAKER:

The Committee on Fees and Salaries, to whom was referred House bill No. 97, a bill relative to the fees and salaries of Judges of the Circuit Court and Judges of the Court of Common Pleas, and providing the manner of paying the same, beg leave to report that they have had the same under consideration and are of the opinion that further legislation is inexpedient and would recommend that it do lie on the table.

The report was concurred in and House bill No. 97 was laid on the table.

Mr. Church, from a Select Committee, made the following majority report:

MR. SPEAKER:

The Special Committee to whom was referred Senate bill No. 3, "a bill to legalize the issuing of Bonds by County Commissioners in certain cases," have had the same under consideration, a majority of whom have directed me to report the same back to the House, together with the amendments pending thereto, and recommend the adoption of the amendments offered by the Judiciary Committee, and when so amended recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Gregory, of Warren, from Select Committee, made the following minority report:

MR. SPEAKER:

The minority of the Special Committee, to whom was referred Senate bill No. 3, to legalize the acts of Boards of County Commissioners and others for bonds issued and appropriations heretofore made for the support of war families, the raising of volunteers and paying for drafted men and substitutes, beg leave to report that they are not

in favor of the passage of the bill with amendments proposed by a majority of the Committee for the reason, among other things, that the passage of said bill with said amendments would be unequal in this: Persons living in townships exempted by the provisions of this bill, with the amendments, who have never paid anything for the raising of troops or support of war families, would be exempt from the payment of the taxes proposed by the bill and amendments. Again, in townships that were exempt from the last and present call for troops, on account of veteran soldiers and non-resident recruits, inadvertently or otherwise, having their names placed as credits to said townships, by which at least a few of said townships will be exempt, during the present war, from a draft, without the payment of one cent of taxation. Your minority would report that they are in favor of a bill legalizing the acts of Boards of County Commissioners and other authorities, provided the same can be made as near equal and just as can be done. Your minority of the Committee recommend the following amendment to said bill:

Amend section 2 of said bill as follows:

*Provided*, That townships which have not been subject to draft or call for troops, at the present and last preceeding call, shall not be exempt from the payment of any tax to carry out the provisions of this bill.

Which was laid on the table.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The Judiciary Committee, to whom was referred House bill No. 117, entitled, a bill to amend section 39, 42, 45 and 54, of an act entitled, "an act for the incorporation of Insurance Companies, defining their powers and prescribing their duties," approved June 17, 1852, respectfully report back said bill to the House, and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Newcomb, from the same Committee, made the following report:

**MR. SPEAKER:**

The Judiciary Committee, to whom was referred House bill No. 121, entitled, "A bill to cure defective acknowledgments of deeds in certain cases," respectfully report back said bill to the House, and recommend its passage.

Which was laid on the table.

Mr. Kilgore moved that the House do now adjourn.

Which was not agreed to.

The Speaker announced that he had signed House bill No. 39.

On motion of Mr. Church,

*Resolved*, That the Committee of Ways and Means be instructed, to inquire what legislation, if any, is necessary, in order to have appraised, and assessed for taxation, Railroads, and especially such as are being constructed from time to time, so that they may be appraised as soon as constructed, and report by bill or otherwise.

Mr. Brown moved that when the House adjourn, it meet again at 2 o'clock this afternoon.

Which was agreed to.

#### BILLS INTRODUCED.

By Mr. Olleman,

House bill No. 154. A bill to amend the 7th section of an act entitled, "An act providing for the election of Clerks of the Circuit Court, and prescribing some of their duties," approved June 7th, 1852.

Which was read a first time, and,

On motion by Mr. Olleman,  
Referred to the Committee on Education.

By Mr. Gregory of Montgomery,

House bill No. 155. A bill apportioning the State into Districts for Senators and Representatives in the General Assembly.

Which was read a first time, and,

On motion,  
Referred to the Committee on the Judiciary.

By Mr. Pettit,

House bill No. 156. A bill imposing on Clerks of the several Circuit Courts the duties of preparing applications for back pay, back pay and bounties, balances of bounty, half pay and pensions, creating a State Agent for soldiers' claims, to represent the same, imposing on certain officers the duty of preparing and certifying documentary evidence in connection with such memorials, prescribing the duties of such officers, and imposing penalties for violating their duties.

Which was read a first time, and,

On motion,  
Referred to the Committee on Military Affairs, and 300 copies ordered to be printed.

Leave of absence was granted the Committee on Elections during the remainder of the day.

By Mr. McVey,

House Joint Resolution No. 15. A Joint Resolution asking that our soldiers in Rebel Prisons be speedily exchanged.

Which was read a first time, and,

On motion,

Referred to the Committee on the Judiciary.

Mr. Whiteside offered the following resolution:

*Be it resolved by the House of Representatives of the State of Indiana,* That the Committee on County and Township Business, be instructed to inquire into the expediency of repealing section 16 of the act of 1859, providing for the election of Supervisors.

Which,

On motion,

Was adopted.

By Mr. Thatcher,

House bill No. 157. A bill to amend section twenty-one of an act entitled, "an act regulating descents, and the apportionment of estates," approved May 14th, A. D., 1852.

Which was read a first time, and,

Referred to the Committee on the Judiciary.

Mr. Milroy obtained leave, and presented

A petition on behalf of the citizens of Carroll County, praying for the enactment of a law giving Boards of County Commissioners authority to appropriate money out of the County Treasury, issue their bonds, and levy a special tax for the purpose of raising troops under the call of the President.

Which,

On motion,

Was referred to the Special Committee on Senate bill No. 5.

Mr. Trusler moved to suspend the order of business, and take from the table House bill No. 94, and refer the same to the Committee on Military Affairs, without reading.

Which was agreed to.

The hour having arrived for the special order, namely, the consideration of House Joint Resolution No. 13, and the message from the Governor relating to the same subject,

On motion by Mr. Brown,

The House resolved itself into a Committee of the Whole House, Mr. Henricks in the Chair.

After remaining in session for some time, the Committee rose, and made the following report, through its Chairman.

MR. SPEAKER:

The Committee of the Whole House have, according to order, had under consideration the Governor's Message and House Joint Resolution No. 13, and have made some progress therein, and direct me to ask leave of the House to sit again, at 2 o'clock, P. M.

Which was agreed to.

On motion by Mr. Collins,  
The House adjourned.

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2 O'CLOCK, P. M.

The House met.

The special order for the day was unanimously informally postponed.

Mr. Miller, by unanimous consent, introduced

House bill No. 158. A bill to provide for the appraisement for taxation of the property of Railroad Companies within this State, prescribing the duties of officers in relation thereto, and repealing all laws in contravention thereof, or inconsistent therewith.

Which was read a first time, and,

On motion,  
Was referred to the Committee on Ways and Means.

Unanimous consent was given Mr. Branham to introduce

House bill No. 159. A bill to provide for the valuation and assessment of the real and personal property, the property of railroad companies, and the collection of taxes in the State of Indiana,

for the appointment of appraisers of real estate, the appointment of Township Assessors, and prescribing the duties of appraisers of real estate, and assessors of personal property, County Treasurers and Auditors, and the Treasurer and Auditor of State, and defining the fees of County Auditors for making the duplicates, delinquent lists, Assessors' books, transferring real estate, for making tax title deeds, and for the execution of certificates to purchasers of lands and lots sold for taxes.

Mr. Branham moved that it be deemed expedient to suspend the constitutional rule, requiring the reading of bills on three several days, and that House bill No. 159, be read a first time by its title.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Branham, Burnes, Burwell, Buskirk, Chambers, Church, Collins, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Warren, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Johnson, Kilgore, Lemon, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Montgomery, O'Brien, Olleman, Osborn, Perigo, Puett, Reese, Rhoads, Richards, Richardson, Riford, Roach, Sabin, Shuey, Sim, Spencer, Steward, Stenger, Stuckey, Sullivan of Scott, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—70.

Those who voted in the negative were,

Messrs. Bird, Colover, Glazebrook, Lee and Milroy—5.

So it was deemed expedient to suspend the constitutional rule, and House bill No. 159 was read a first time by its title, and,

On motion by Mr. Branham,  
Was referred to the Committee on Ways and Means.

#### BILLS ON SECOND READING.

Senate bill No. 12 was read a second time, and,

On motion by Mr. Branham,

Was referred to the Committee on the Judiciary.

House bill No. 108 was taken up.

On motion by Mr. Branham,

The bill was passed over informally.



House bill No. 147 was read a second time.

Ordered to be engrossed, and passed to a third reading.

House bill No. 2 was taken up.

The question being on the adoption of the first amendment,

Mr. Newcomb moved to pass over the bill informally.  
Which was agreed to.

The special order on adjournment being the consideration, in the Committee of the Whole, of the Governor's Message and Joint Resolution No. 13,

Mr. Buskirk called for the same, and the House resolved itself into Committee of the Whole, Mr. Henricks in the chair.

After remaining in session some time, the Committee rose, and made the following report, through its chairman :

MR. SPEAKER :

The Committee of the Whole House, to whom was referred the Governor's Message, and House Joint Resolution No. 13, have had the same under consideration, and instruct me to report progress, and asked leave to sit again at 10 o'clock to-morrow morning.

Which was agreed to.

On motion by Mr. Brown,

The House adjourned.

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FRIDAY MORNING, 9 o'clock, }  
February 10th, 1865. }

The House met pursuant to adjournment.

The Clerk proceeded to read the journal, when,

On motion, by Mr. Brown,

The further reading thereof was dispensed with.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Gregg,

A petition from sundry citizens of Dearborn county, on the subject of granting power to cities to levy taxes in certain cases.

On motion,

The petition was referred to the Committee on Corporations, without reading.

## REPORTS FROM STANDING COMMITTEES.

Mr. Higgins, from the Committee on Ways and Means, made the following report :

MR. SPEAKER :

The Committee on Ways and Means, to whom was referred House bill No. —, introduced by Mr. Whiteside, have examined the matter and would respectfully make the following report :

Taking the laws of the session of 1861, as data, an average page of which will make about eight squares of newspaper column, and in the whole volume of 1861, will there be 2912 squares, which at 75 cents per square, will cost in a single newspaper \$2,184 00 and estimating the number of papers in the State at eighty, which is below the number, will make the entire cost \$174,720 00, provided the volume should be as large as that of 1861, and they recommend that legislation upon it is inexpedient.

Which,

On motion,

The recommendation of the report was concurred in.

Mr. Kilgore, Chairman of the Committee on Elections, made the following majority report :

MR. SPEAKER :

The Committee on Elections to which was referred the case of Higgins Lane and Ambrose D. Hamrick, contestants, against Austin M. Puett and Samuel Colover, contestees, wherein the contestants claim the seats now held by said contestees in this House as the Representatives of Putnam County, have had the matter under consideration and a majority of said Committee have instructed me to make the following report :

The Committee find that according to the official returns of the election for Representatives in said County of Putnam, the candidates received respectively the following vote :

Austin M. Puett received twenty-one hundred and five votes.....2105  
 Samuel Colover received twenty-one hundred and twenty-four  
 votes.....2124  
 Higgins Lane received twenty hundred and seventy-three votes..2073  
 Ambrose D. Hamrick received twenty hundred and sixty-two  
 votes .....2062

Giving Austin M. Puett a majority over Higgins Lane of thirty-two votes, and a majority over Ambrose D. Hamrick of forty-three votes, and Samuel Colover a majority over Higgins Lane of fifty-one votes, and a majority over Ambrose D. Hamrick of sixty-two votes. The principal ground of contest is an alleged fraud in the manner of conducting the election in Cloverdale township in said county, wherein it is charged that the Inspector and other officers of said election were guilty of mal-conduct, in abstracting, or permitting other persons to abstract from the ballot box, ballots cast in favor of said contestants, and substituting therefor, an equal or greater number of tickets in favor of the contestees, whereby the contestees were caused to be declared elected, when the contestants had received a majority of the ballots legally cast in said county and should have been declared elected.

According to the returns of said election for Cloverdale township, Mr. Puett received two hundred and seventy-seven votes, and Mr. Colover received two hundred and seventy-seven votes. Mr. Lane received sixty-one votes and Mr. Hamrick received sixty votes. The depositions of ninety-five electors who voted at Cloverdale precinct were produced by the contestants, all of whom as is shown by said depositions, or by the depositions of others, voted for Higgins Lane and all but one of whom voted for Ambrose D. Hamrick.

The evidence establishes, beyond doubt, that the ballot box was either opened by the officer who had charge of the same, or by some other person or persons, through his negligence or willful misconduct, and ballots cast for the contestants taken therefrom, and other tickets, having on them the names of the contestees, substituted therefor, at least to the extent of thirty-five in number; all of which ballots, so abstracted, were cast for Higgins Lane, and all but one of which were cast in favor of Ambrose D. Hamrick, contrary to the usual custom in conducting the elections. In said township the ballots were not counted on the evening of the day of said election, but the counting was deferred, at the suggestion of one Davis, the Inspector, until the next day, notwithstanding there was ample time to have counted the same on that day. The conduct of the Inspector, as shown by the depositions of witnesses, was such as to justify the conclusion that he committed the fraud, or designed that others might commit it.

He disregarded the suggestion made by one of the Judges, that the key hole to the ballot box should be sealed on closing the election, stating that the law did not require it to be sealed.

There are other reasons shown by the evidence for concluding that

the fraud alleged was perpetrated, but as the fraud is not controverted by the contestees, your Committee deem it unnecessary to specify them in this report. Allowing that the fraud was not more extensive than proven, it is sufficient to change the result, and to elect Mr. Lane by a majority of thirty-eight votes over Mr. Puett, and by a majority of nineteen votes over Coliver, and to elect Mr. Hamrick over Mr. Coliver by a majority of six votes, and over Mr. Puett by a majority of twenty-five votes.

The contestees insist that the students attending Asbury University, at Greencastle, in said county, who voted for the contestants, eighteen in number, should be excluded in determining this contest; but the Committee are of the opinion that their votes were properly received. It is contended by the contestees that several other illegal votes were cast for the contestants, which should be excluded; several of which the Committee regarded as illegal, and rejected.

After a careful investigation touching the illegal votes on either side, a majority of the Committee are of the opinion that Higgins Lane was elected over Austin M. Puett by a majority of thirty-three votes, and that Ambrose D. Hamrick was elected over Samuel Coliver by a majority of one vote, even allowing that the fraud in Cloverdale Township was not more extensive than proven.

But, inasmuch, as it is impossible to determine the actual number of votes abstracted, and the actual number of tickets substituted, and as it is highly probable that a greater number were abstracted, and a greater number substituted, than is shown by the proof; and as it is impossible to determine what was the will of the electors in said township, in consequence of such fraud, we have rejected the entire vote of said township in determining such contest. Wherefore, I am instructed to report the following resolutions, and to recommend their adoption:

1. *Resolved*, That Higgins Lane was duly elected as one of the Representatives in the State Legislature for Putnam County, Indiana, on the 11th day of October, A. D., 1864, and by virtue of such election he is entitled to take his seat as such Representative in this House.

2. *Resolved*, That Ambrose D. Hamrick was duly elected as one of the Representatives in the State Legislature for Putnam County, Indiana, on the 11th day of October, A. D., 1864, and by virtue of such election he is entitled to take his seat as such Representative in this House.

3. *Resolved*, That Austin M. Puett, who now holds a seat in this House as one of the Representatives of Putnam County, Indiana, was not elected as such Representative, and is therefore not entitled to hold a seat in this House.

4. *Resolved*, That Samuel Colover, who now holds a seat in this House as one of the Representatives of Putnam County, Indiana, was not elected as such Representative, and is therefore not entitled to hold a seat in this House.

On motion by Mr. Branham,  
The report was made the special order of the day for to-morrow morning, at 10 o'clock.

Message from the Senate, by Mr. Whittlesey, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the President has appointed, on the part of the Senate, Messrs. Beeson, Niles and Cobb, on the Joint Committee called for by a resolution of the Senate, on the subject of Insurance companies, and providing for the reference of all bills, on this subject, to said Committee.

Message from the Senate by Mr. Whittlesey, their Secretary.

MR. SPEAKER :

I am further directed by the Senate to return to the House of Representatives the following enrolled acts of the Senate, to-wit :

Enrolled act No. 23. An act to amend section 76 of an act, entitled, "An Act defining misdemeanors and prescribing punishment therefor," approved June 14, 1852.

Enrolled act No. 55. An act to fix the time of holding the Court of Common Pleas, in the 5th Judicial District, repealing all other laws on the same subject, and declaring when this act shall take effect.

Also, Enrolled Joint Resolution No. 10, of the Senate. A Joint Resolution relative to the establishment of a bonded tobacco warehouse at Evansville, Ind. To which the signature of the Speaker is respectfully requested.

Mr. Gregory, of Warren, from the Committee on Education, made the following report :

MR. SPEAKER :

The Committee on Education, to whom was referred House bill No. 119, offered by Mr. Rhoads, of Vermillion county, to establish and create a State Normal School, and matters connected therewith, beg leave to report that they have duly considered the same, and now

report to the House that they believe that the establishment of such an institution for the education and preparation of teachers of Common Schools, in our State, would be highly beneficial to the educational interests of the State. We, your Committee, therefore recommend the passage of said bill.

Which,

On motion,

Was laid on the table.

Mr. Gregory, of Warren, from the Committee on Education, made the following report :

MR. SPEAKER :

The Committee on Education, to whom was referred House bill No. 154, offered by Mr. Olleman, of Johnson and Morgan counties, to amend section 7 of an act, entitled, "An Act providing for the election of Clerks of Circuit Courts, and prescribing some of their duties," approved January 7, 1852, beg leave to report that they have had said bill under consideration, and now report the same back to the House and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Miller, from the Committee on Ways and Means, made the following report :

MR. SPEAKER :

The Committee of Ways and Means, to whom was referred House bill No. 158, report that the bill be laid on the table and 500 copies ordered to be printed, and recommend its passage.

The report was concurred in, and the bill laid on the table, and 300 copies ordered to be printed.

Mr. Gregory, from the Committee on Education, made the following report :

MR. SPEAKER :

The Committee on Education, to whom was referred Joint Resolution No. 14, offered by Mr. Rice, of Parke county, in relation to the establishment of houses of refuge, for the conviction of juvenile offenders, &c., beg leave to report that they have had the same under consideration, and now report that Article IX., Section 2, of the Constitution provides that such houses should be established, that the same is highly approved of by the Committee, and they recommend the adoption of the Joint Resolution, with this amendment, "strike

out the last clause of said resolution, which asks for the appointment of commissioners to visit other States, and making an appropriation of a sum not exceeding fifteen hundred dollars, to defray the expenses of said commission.

Which was laid on the table.

Mr. Gregory, from the same Committee, made the following report :

MR. SPEAKER :

The Committee on Education, to whom was referred House bill No. 113, offered by Mr. Shoaff of Allen county, asking for a law amending section 150 of the School law of 1855, so that other languages might be taught in the free Common Schools of the State, beg leave to report, that the Committee have maturely considered that matter, and they now report, that the act of 1855, in relation to Common Schools, was superceded by the School law of 1861 ; that the School law as it now is, on that subject, should not be amended. They, therefore, return said bill, and recommend that it do not pass.

Which was concurred in.

Mr. Gregory, from the same Committee, made the following report :

MR. SPEAKER :

The Committee on Education, to whom was referred House Resolution No. 12, offered by Mr. Shoaff of Allen county, with accompanying instructions offered by Mr. Miller of Tippecanoe county, inquiring into the expediency of so amending the School law as to authorize the German language to be exclusively taught in certain Schools in the several Townships, Towns and Cities of this State, where a sufficient number of the inhabitants of any Township or City, entitled to the benefit of the present law, may desire it, beg leave to report, as they have before reported, that further legislation on that subject is inexpedient.

Which,

On motion,

Was laid on the table.

The Speaker announced that he had signed Senate bill No. 23, Senate Joint Resolution No. 10, and Senate bill No. 55.

Mr. Trusler, from the Committee on Military Affairs, made the following report :

MR. SPEAKER ;

The Committee on Military Affairs, to whom was referred House bill No. 156, entitled, " a bill imposing on Clerks of the several Circuit

Courts, the duty of preparing applications for back pay, back pay and bounties, balances of bounty, half pay and pensions—creating a State Agent for soldiers claims, and to represent the same—imposing on certain officers the duty of preparing and certifying documentary evidence in connection with such memorials, prescribing the duty of such officers, and imposing penalties for violating their duties,” respectfully report back said bill, and recommend that section 11 be amended, by striking out said section, and substituting the following section :

Any officer named in this act, who shall fail or refuse to comply with any of the provisions thereof, shall be liable upon his official bond, to the party or parties so agrieved to the amount of damages the said party or parties may have sustained, together with costs of suit, to be recovered as other actions of debt, in any Court having competent jurisdiction.

Your Committee also recommend that the blank in line four, in section five, be filled by inserting twenty-five hundred, and that the following additional section be added to the bill :

SEC. 12. That inasmuch as there is now no law regulating the practice in the cases embraced in this act, it is hereby declared that an emergency exists, and that the same shall take effect and be in force from and after its passage.

When the bill is so amended, your Committee respectfully recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Major, from the Committee on Fees and Salaries, made the following report :

MR. SPEAKER :

The Committee on Fees and Salaries, to whom was referred House bill No. 56, entitled, an act to repeal an act to ascertain the amount of the fees and salaries of the Clerks of the Supreme, Circuit, and Common Pleas Courts of this State ; of the Sheriff of the Supreme Court and of the various Counties of this State ; of County Auditors, Treasurers, and Recorders, of Circuit and Prosecuting Attorneys, and to provide punishment for a violation of its provisions, approved

3d, 1861, beg leave to report, that they have had the same under consideration, and are of the opinion that the repeal of said act is inexpedient, and therefore recommend that said bill do lie on the table.

Which,

On motion,

Was concurred in.



Mr. Burnes, from the Committee on Engrossed Bills, made the following report :

MR. SPEAKER :

The Committee on Engrossed Bill have carefully examined and compared House bills Nos. 32, 52, 55, 49, 57, 58 and 86, with the original bills, and find that the same are, in all respects, accurately and correctly engrossed.

Which,

On motion,

Was laid on the table.

Mr. Stewart, from the Committee on Engrossed Bills, made the following report :

MR. SPEAKER :

The Committee on Engrossed Bills have carefully examined House bills Nos. 43, 89 and 122, and direct me to report that they are correctly engrossed.

Which,

On motion,

Was laid on the table.

The hour having arrived for the special order, namely : The consideration of House Joint Resolution No. 13, and the Message from the Governor, relating to the same subject,

On motion by Mr. Branham,

The House resolved itself into a Committee of the Whole House, with Mr. Henricks in the chair.

After remaining in session for some time, the Committee rose, and made the following report, through its chairman :

MR. SPEAKER :

The Committee of the Whole House have, according to order, had under consideration House Joint Resolution No. 13, and the Message from the Governor, relative to the same subject, and have made some progress therein, and direct me to report the same back to the House for its action.

Which,

On motion,

Was concurred in.

On motion by Mr. Branham,

House Joint Resolution No. 13, was read a second time.

On motion by Mr. Branham,

The House resolved itself into a Committee of the Whole House, with Mr. Henricks in the chair.

After remaining in session for some time, the Committee rose, and made the following report, through its chairman :

MR. SPEAKER :

The Committee of the Whole House, to whom was referred Joint Resolution No. 13, and the Message from the Governor, relative to the same subject, have, according to order, had the same under consideration, and have made some progress therein, and direct me to ask leave of the house to sit again at 2 o'clock this afternoon.

Which,

On motion,  
Was concurred in.

Message from the Senate, by Mr. Whittlesey, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the amendments of the House to Senate bill No 1. A bill appropriating seventy-five thousand dollars for the expenses of the present session of the General Assembly, and providing the manner of the payment of the members and officers and their assistants and appointees of the Senate and House of Representatives.

Mr. Brown moved that when the House adjourn, it meet again at 2 o'clock this afternoon.

Which was agreed to.

On motion by Mr. Burnes,

The House adjourned.

2 O'CLOCK, P. M.

The House met.

Message from the Senate, by Mr. Whittlesey, their Secretary :

MR. SPEAKER :

I am directed by the Senate to return to the House of Representatives, for your signature, Enrolled act of the Senate No. 1—"An act making specific appropriations from the State treasury."

I am also directed to inform the House of Representatives that the Senate has passed the following engrossed bills thereof, to-wit:

Engrossed bill No. 41. An act appointing Commissioners to sell certain real estate therein named, to provide a residence for the Governor of the State, and to make him an allowance in lieu thereof until the same is provided, and matters properly connected therewith.

Engrossed Senate bill No. 128. An act making appropriation for the payment of interest on the State University Bonds for the years 1863 and 1864.

In which the concurrence of the House is respectfully requested.

The Speaker announced that he had signed Senate bill No. 1.

On motion by Mr. Branham,

The House resolved itself into a Committee of the Whole, with House Joint Resolution No. 13, together with the Governor's Message, under consideration, Mr. Henricks in the chair.

After remaining in session some time, the Committee rose, and made the following report by their Chairman :

MR. SPEAKER :

The Committee of the Whole House, to whom was referred House Joint Resolution No. 13, with Governor's Message, have had the same under consideration, and have directed me to report that it has made some progress and ask leave to sit again this evening at 7 o'clock P. M.

Which was granted by the House.

Mr. Trusler moved that Mr. Foulke be added to the Committee on Military Affairs, in place of Mr. Prather, who is absent on account of sickness.

Which was agreed to.

Mr. Rhoads moved that when the House adjourn, it be till 7 o'clock this evening.

Which was agreed to.

Leave of absence was granted to Mr. Richards for an indefinite period of time, on account of sickness in his family.

Mr. Beckett was granted leave of absence till Thursday next.

Mr. Trussler moved that the Committee on Military Affairs be authorized to employ a clerk from its organization.

Which was agreed to.

On motion, by Mr. Montgomery,

The House adjourned.

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7 O'CLOCK, P. M.

The House met.

On motion, by Mr. Buskirk,

The House resolved itself into Committee of the Whole, with House Joint Resolution No. 13, with Governor's Message under consideration.

Mr. Henricks in the Chair.

After remaining in session for a while the Committee rose and made the following report through its Chairman :

MR. SPEAKER :

The Committee of the Whole House, to whom was referred House Joint Resolution No. 13, with the Governor's Message, have had the same under consideration, and have directed me to report the same back to the House.

Which was agreed to.

Mr. Brown moved that when the House adjourn it be till 9 o'clock to-morrow morning.

Which was agreed to.

Mr. Brown moved that the House do now adjourn.

Which was agreed to.

SATURDAY MORNING, 9 o'clock,  
February 11, 1865. }

House met pursuant to adjournment.

The Clerk proceeded to read the journal, when,  
On motion by Mr. Brown,

The further reading thereof, was dispensed with.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. Sim,

A Remonstrance from sundry citizens of Union county, against the diversion of the White Water Canal from its present uses.

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. Sabin,

A remonstrance on the same subject.

Which,

On motion,

Was referred the Committee on Railroads.

By Mr. Lockhart,

A Remonstrance from sundry citizens of Union county, on the same subject.

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. Chambers,

A Remonstrance from sundry citizens of Union county on the same subject.

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. Gregory, of Warren,

A Petition from sundry citizens of the State of Indiana, praying for the maintainance of the hydraulic power of the White Water Canal on a sure and permanent basis.

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. Trusler,

A remonstrance from sundry citizens of Fayette county, on the same subject.

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. Willis,

A remonstrance from sundry citizens of Rush county, on the same subject.

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. Miller, of Tippecanoe,

A remonstrance from sundry citizens of Fayette county, on the same subject.

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. Henricks,

A petition praying for the enactment of a law authorizing the publication of such transactions of the State Agricultural Society as the Board of that Society shall order, at a cost not exceeding fifty cents per volume.

Which,

On motion,

Was referred to the Committee on Agriculture.

By Mr. Branham,

A petition praying for the passage of a law prohibiting the owners of domestic animals from suffering them to run at large within a distance of three to five miles of any main railroad track, now or hereafter to be opened within the bounds of this State.

Which,

On motion,

Was referred to the Committee on Rights and Privileges of the Inhabitants of the State.

By Mr. Branham,

A petition of E. P. Rawlings, asking relief for loss of property sustained in the burning of the Indiana State Prison.

Which,

On motion,

Was referred to the Committee on Claims.

By Mr. Gregg,

A petition from sundry soldiers of Indiana regiments, praying that certain lands granted to the State of Indiana "for the endowment and support of a College," be applied to the founding and support of a Home or Homes for disabled soldiers and seamen, or the education of their orphan children.

Which,

On motion,

Was referred to the Committee on Education.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Branham, from the Committee on Ways and Means, made the following report:

MR. SPEAKER:

The Joint Committee, appointed by the Senate and House of Representatives, for the purpose of examining the vouchers in relation to the receipts and expenditures of money by the Governor, have discharged that duty, and beg leave to report that they find the books and vouchers all proper and correct, and that there has been great care in the disbursements of the funds borrowed and received to carry on the State Government, and in protecting the public interest.

We find the Governor chargeable with one million twenty-six thousand three hundred and twenty-one dollars and thirty-one cents, received from various sources. He has disbursed, as shown by the proper vouchers on file, nine hundred and two thousand and sixty-five dollars and eight cents, leaving a balance now in his hands of

one hundred and twenty-four thousand two hundred and sixty-five dollars and twenty-three cents, which is on deposit in bank, as shown by certificates of deposit.

The following statement of the account is a full exhibit of all the financial transactions of the Governor :

## RECEIPTS.

### *On Account of Loans from Counties, Individuals, &c.*

From Decatur county, June 13, 1863.....	\$7,000 00
From Tippecanoe county, June 15, 1863.....	5,000 00
From Marion county, June 15, 1863.....	\$10,000 00
From Marion county, February 1, 1864.....	10,000 00
	20,000 00
From Vermillion county, June 18, 1863.....	2,500 00
From Hendricks county, June 19, 1863.....	\$6,550 00
From Hendricks county, July 15, 1863.....	3,450 00
	10,000 00
From Henry county, June 23, 1863.....	6,000 00
From Lake county, June 23, 1863.....	1,000 00
From Parke county, June 23, 1863.....	2,000 00
From Fayette county, June 24, 1863.....	5,000 00
From Lagrange county, June 27, 1863.....	4,000 00
From Wabash county, June 29, 1863.....	10,000 00
From William S. Reed, and others, citizens of Wayne county, August 3, 1863...	20,000 00
From Delaware county, August 5, 1863.....	5,000 00
From Warren county, August 24, 1863.....	2,500 00
From Boone county, September 25, 1863.....	\$1,200 00
From Boone county, January 14, 1864.....	3,800 00
	5,000 00
From Hamilton county, January 27, 1864.....	2,000 00
From Terre Haute and Richmond R. R. Co., October 30, 1863.....	15,000 00
From W. R. McKeen, January 19, 1864.....	10,000 00
From St. Joseph county, February 5, 1864 .....	3,000 00
	<u>\$135,000 00</u>

### *On Account of Advancement by United States.*

From Treasurer United States, for military purposes.....	\$250,000 00
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### *On Account of Temporary Advancement.*

From O. P. Morton, June 14, 1864, for military purposes.....	\$1,483 00
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### *On Account of Indiana Arsenal.*

From Treasurer United States, two drafts, April 18, 1863, for ammunition, &c..	\$72,329 34
From Treasurer United States, one draft, June 29, 1863, for ammunition, &c...	17,928 98
From Treasurer United States, one draft, July 11, 1863, for ammunition, &c....	47,594 30
From Treasurer United States, one draft, August 12, 1863, for ammunition, &c.	38,543 76
From Treasurer United States, one draft, Sept. 30, 1863, for ammunition, &c....	53,971 55
From Treasurer United States, one draft, Nov. 13, 1863, for ammunition, &c....	41,361 88
From Treasurer United States, one draft, April 22, 1864, for ammunition, &c....	50,217 17
From Treasurer United States, one draft, April 29, 1864, for ammunition, &c....	16,933 39
From Military Auditing Committee, April 18, 1864, buildings sold.....	1,108 80
From T. A. Lewis, June 14, 1864, refunded for over draft.....	4 25
	<u>\$339,998 92</u>

### *On Account of Indiana Militia.*

From Treasurer United States, Feb. 1, 1864, on State Paymaster's vouchers.....	\$32,000 00
From Treasurer United States, April 22, 1864, on State Paymaster's vouchers..	47,355 62
From Treasurer United States, June 14, 1864, on State Paymaster's vouchers...	27,404 56
From Treasurer United States, June 26, 1864, on State Paymaster's vouchers...	64,352 26
From Treasurer United States, June 26, 1864, on State Paymaster's vouchers...	13,273 82
From Treasurer United States, August 2, 1864, on State Paymaster's vouchers.	3,026 79
From Major Stearns Fisher, State Paymaster, refunded November 5, 1863.....	50,000 00
	<u>\$237,413 05</u>



*On Account of Military Contingent Fund.*

From A. Stone, Quartermaster General, on Steamboat account, July 22, 1863..	\$2,724 50	
From James Thompson, Indiana Military Agent, refunded, August 12, 1863.....	100 00	
From James Thompson, Indiana Military Agent, refunded, October 7, 1863.....	35 00	
From Jason Ham, Indiana Military Agent, refunded, October 7, 1863.....	200 00	
From Treasurer United States, Steamboat account, April 18, 1864.....	2,651 50	
From sale United States Certificates of Indebtedness of \$4,000, on Steamboat account, April 18, 1864, proceeds.....	3,934 07	
From J. W. Montfort, Indiana Military Agent, stores for prisoners of war sold July 26, 1864.....	1,339 90	
From the United States per W. H. H. Terrell, special premiums refunded Sep- tember 8, 1864.....	49,740 00	
		60,724 97

*On Account of Army Supplies.*

From Major Stevenson, Paymaster United States, on account of Captain Patton's Com- pany, third Indiana Cavalry, equipments furnished by State Quartermaster General, August 14, 1863.....	1,150 50
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*On Account of Donation.*

From Jacob Hannon, donated for Benevolent Institutions, April 21, 1863.....	50 00
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*On Account of Northern Indiana Prison.*

From D. G. Rose, United States Marshal, keeping United States convicts, July 26, 1864...	500 87
Total receipts.....	\$1,026,321 31

## DISBURSEMENTS.

*On Account of Benevolent Institutions.*

For Hospital for the Insane, supplies and expenses.....	\$81,680 89	
For Institute for the Blind, supplies and expenses.....	42,491 73	
For Asylum for the Deaf and Dumb, supplies and expenses.....	26,464 60	
		\$150,637 22

*On Account of State Prisons.*

For Northern Prison, supplies and expenses.....	\$34,590 19	
For Northern Prison, on old indebtedness.....	1,250 00	
For Southern Prison, supplies.....	4,000 00	
		38,840 19

*On Account of Superintendent of Public Instruction.*

For office and traveling expenses.....	1,552 64
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*On Account of Civil Contingencies.*

For sundry expynses, civil business.....	3,731 83
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*On Account of Temporary Advancement.*

For amount repaid O. P. Morton, December 31, 1864, for money advanced.....	1,483 00
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*On Account of Interest on Loans.*

For one year's interest, in advance, on Citizens' Wayne County Loan, at 6 per cent., August 3, 1863.....	\$1,200 00	
For one year's interest, in advance, on Citizens' Wayne County Loan, at 6 per cent., July 28, 1864.....	1,200 00	
		2,400 00

*On Account of Indiana Arsenal.*

For supplies, labor, &c., per vouchers filed.....	\$181,389 33	
For amount refunded M. L. Brett, Treasurer of State, June 17, 1864, for moneys drawn from State Treasury on account of Arsenal.....	\$7,229 58	268,618 91

*On Account of Indiana Militia.*

For amount advanced Major Stearns Fisher, State Paymaster, Oct. 19, 1863....	\$50,000 00	
For amount advanced Major Stearns Fisher, State Paymaster, Dec. 8, 1863.....	50,000 00	
For amount advanced Major Stearns Fisher, State Paymaster, Jan. 8, 1863.....	71,368 88	
For amount refunded M. L. Brett, Treasurer of State, August 10, 1864, for moneys drawn by State Paymaster from State Treasury.....	75,000 00	246,361 88

*On Account of Military Contingent.*

For special premiums, 11,971 recruits, \$6 each.....	\$79,746 00	
For steamboat, relief of sick and wounded.....	29,512 43	
For special surgeons to army and hospitals.....	15,055 42	
For supplies of Indiana prisoners of war.....	5,639 01	
For recruiting services and expenses, raising troops.....	9,371 54	
For miscellaneous military expenses.....	10,390 92	
For advanced Brig. Gen. Carrington, commanding District of Indiana, for military purposes, August 4, 1864, to be paid by the United States.....	1,000 00	
For advanced to Major Gen. Hovey, commanding District of Indiana, for military purposes, November 1, 1864, to be refunded by United States.....	5,000 00	
For military telegraphing.....	2,037 05	
For Indiana military agencies.....	4,139 51	
For military services.....	3,813 58	
For refreshments, &c., for returning veteran volunteers at Jeffersonville.....	3,537 30	160,242 76

*On Account of Indiana Armory.*

For equipments, materials, repairs of arms, expenses of ordnance office, &c..	23,730 29
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*On Account of Allotment Commissioner.*

For salary and expenses, allotment commissioner, collecting and transmitting pay of Indiana soldiers.....	1,204 31
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*On Account of Ordnance Office.*

For clerk hire and expenses adjusting accounts for the army, for the State, and for Indiana volunteer officers, with United States.....	1,106 00
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*On Account of Soldiers' National Cemetery.*

For first installment of 25 per cent. on amount assessed against the State for purchase of grounds, re-interring Indiana soldiers, Gettysburgh, Pa.....	1,156 00	
Total disbursements.....	\$902,065 08	
Cash in bank.....	124,256 23	\$1,026,321 31

## RECAPITULATION.

From the foregoing data, the following statement of the Governor's account with the State, as it stands at this time, is made:

*Governor O. P. Morton, in Account with the State of Indiana,*

## DEBIT,

For cash, advanced by the United States.....	\$250,000 00
For cash, raised on loans from counties, &c.....	135,000 00
For cash, profits of Arsenal.....	71,380 01
For cash, from 3rd Ind. Vol. Cavalry.....	1,150 50
Total .....	<u>\$457,530 51</u>

## CREDIT (AS PER VOUCHERS.)

By amount due from State Paymaster .....	\$8,948 83
Due from United States on account of Armory.....	23,730 29
Due from U. S. on account of Ordnance Officer.....	1,106 00
Due from U. S. on account of Military Contingent.....	99,517 79
Total Military Vouchers unadjusted.....	<u>\$133,302 91</u>
Benevolent Institutions.....	\$150,587 22
Northern Prison.....	35,339 32
Southern Prison .....	4,000 00
Civil Contingent.....	3,731 88
Interest on Loans payable to counties.....	2,400 00
Superintendent Public Instruction.....	1,552 64
Allotment Commissioner.....	1,204 31
Soldiers' National Cemetery.....	1,156 00
Total charged to State proper .....	<u>\$199,971 37</u>
Balance cash on hand.....	124,256 23
Total.....	<u>\$457,530 51</u>

The two hundred and fifty thousand dollars, money furnished the Governor by the General Government, as a disbursing officer, is not wholly provided for; and, also, the one hundred and thirty-five thousand dollars due to counties and corporations, borrowed for the purpose of carrying on the Benevolent Institutions, &c.

There is due from the General Government to the State, as shown by the proper vouchers on file, one hundred and thirty-three thousand three hundred and two dollars and ninety-one cents, which, with the balance of cash now on hand, would overpay the amount due the General Government. This would leave the amount used for carrying on the Benevolent Institutions unprovided for, but this Committee would make the following recommendation: That the two hundred and fifty thousand dollars received from the General Government, be assumed by the State and the amount placed to the credit of the General Government, and any claims the State has or may

have, in the future, will be a legal off-set against this amount, and that the one hundred and thirty-five thousand dollars, borrowed from counties, corporations and individuals, be paid out of the Treasury of the State, including interest at the rate of six per cent. per annum, from the date of receipt to date of repayment of the same; that the amount of one hundred and twenty-four thousand, two hundred and sixty-five dollars and twenty-four cents, now in the hands of the Governor, be paid over to the Treasurer of State, to be placed to the credit of the general fund. We further recommend that all books, vouchers and claims be handed over, by the Governor, to the Auditor of State for preservation and reference, as to the finances of the State, so far as carried on by the Governor, and that the same be recognized as the act of the State, and that the State relieve the Governor from any further liability, after paying over the funds now in his hands.

The Committee can not complete this report without expressing their entire satisfaction of the manner and ability with which this department has been conducted under the control of the Financial Secretary, Col. W. H. H. Terrell. The system of vouchers adopted by him for the expenditures of the Benevolent Institutions, prisons, &c., are more full and complete than they have ever before been, and we respectfully recommend that these Institutions be required to use the same forms in future.

By request of the Governor, the Committee have inquired of the banks where the Governor kept the deposits of the State, and find that the interest on the deposits has not been allowed or paid to him, either directly or indirectly.

C. W. CHAPMAN,	} <i>Committee.</i>
OTHNIEL BEESON,	
W. W. HIGGINS,	
D. C. BRANHAM,	
ROBERT BOYD.	

Mr. Branham moved that the report be laid on the table, and that five hundred copies be ordered to be printed for the use of the House and Senate; three hundred for the House, two hundred for the Senate.

Which was agreed to.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed engrossed Senate bill No. 100. A bill fixing the compensation of Township Assessors.

Also, engrossed Joint Resolution No. 16, of the Senate. A Joint Resolution accepting and ratifying certain amendments to the Con-

stitution of the United States, proposed by Congress to the Legislatures of the several States, in which the concurrence of the House is respectfully requested.

Mr. Church, Chairman of the Committee on Swamp Lands, made the following report:

MR. SPEAKER:

The undersigned, a majority of the Committee on Swamp Lands, to whom was referred House bill No. 126, a bill to amend section 5 of an act, entitled, "An Act to authorize the construction of levees and drains," approved June 12, 1852, have had the same under consideration, and report the same back to the House and recommend its passage.

Which was laid on the table.

Mr. Branham, by unanimous consent, introduced

House bill No. 160. A bill to raise revenue for State purposes for the years one thousand eight hundred and sixty-five, and one thousand eight hundred and sixty-six.

Which was read a first time.

Mr. Branham moved to refer the bill to the Committee of the Whole House, and made the special order for the day on Monday next at 2½ o'clock P. M.

Which was agreed to.

Mr. Atkinson, from the Committee on County and Township Business, made the following report:

MR. SPEAKER:

We, the Committee to whom was referred House bill No. 128, have had the same under consideration, and came to a unanimous conclusion that any legislation on said bill is inexpedient at this time, and we recommend it to be laid on the table. I am so instructed to report.

Which was laid on the table.

Mr. Miller, of Clinton, from the Committee on County and Township Business, made the following report:

MR. SPEAKER:

The Committee on County and Township Business, to whom was referred House bill No. 146, a bill to amend the third section of an act for the regulation of weights and measures, approved June 9th,

1852, have had the same under consideration, and are of opinion that the change contemplated by said bill is inexpedient, and have instructed me to report the same back to the House, and recommend that it lie on the table.

Which,

On motion, was concurred in.

Mr. Stivers, from the Committee on County and Township Business, made the following report :

MR. SPEAKER:

The Committee on County and Township Business, to whom was referred House bill No. 125, introduced by Mr. McVey, entitled "an act to amend sections one and two of an act entitled 'an act to provide for the re-location of county seats, and for the erection of public buildings in counties in case of such re-location,'" approved March 2, 1855, have had the same under consideration, and instruct me to report that, in their opinion, the amendments proposed in said bill are expedient and proper, and they recommend the passage of the bill.

Which,

On motion,

Was laid on the table.

Mr. Banta, from the Committee on County and Township Business, made the following report :

MR. SPEAKER:

The Committee on County and Township Business, to whom was referred House bill No. 148, introduced by Mr. Miller, of Clinton, entitled "an act to amend the twenty-second section of an act defining misdemeanors, and prescribing punishment therefor," have had the same under consideration, and have instructed me to report the same back, with the recommendation for its passage without amendment.

Which was laid on the table.

#### BILLS INTRODUCED.

By Mr. Burns,

House bill No. 161. A bill to amend section ten of an act entitled "an act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855.

Which was read a first time, and,

On motion,

Referred to the Committee on County and Township Business.

By Mr. Howard,

House bill No. 162. A bill supplemental to an act entitled "an act to establish and regulate ferries," approved June 17, 1852.

Which was read a first time, and

Referred to the Committee on the Judiciary.

Mr. Griffith introduced

House bill No. 163. A bill creating the 14th Judicial Circuit, and fixing the time of holding courts therein.

Which was read a first time, and passed to a second reading.

By Mr. Collover,

House bill No. 164. A bill to provide for locating and working highways, situated upon, contiguous to, or near by, county lines.

Which was read a first time, and,

On motion,

Referred to the Committee on County and Township Business.

Mr. Miller, of Tippecanoe, offered the following resolution :

*Resolved*, That eight thousand additional copies of the Sanitary Report be printed for the use of the Sanitary Commission.

Which was agreed to.

Message from the Senate by Mr. Whittlesey, their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof, to-wit :

Engrossed Senate bill No. 68. An act to change the name of the Terre Haute and Richmond Railroad Company, and to give further time for the completion of the line of said road from Terre Haute to a point on the western line of the State of Indiana.

In which the concurrence of the House is respectfully requested.

By Mr. Woods,

House Joint Resolution No. 16. A Joint Resolution, requesting our Senators in Congress, and our Representatives therein, to demand from the President of the United States, in behalf of the freemen of

Indiana and her soldiers in the service of the United States, a course of policy firmly retaliating against the rebels for their barbarous treatment of our prisoners, &c.

Which was read a first time, and,

Referred to the Committee on Federal Relations.

By Mr. Higgins,

House bill No. 165. A bill to enforce the 13th Article of the Constitution, and to repeal an act entitled "an act to enforce the 13th Article of the Constitution," approved June 18th, 1852.

Which was read a first time.

Mr. Higgins moved to refer the bill to the Committee on the Judiciary.

Mr. Buskirk moved to reject said bill, and postpone all further consideration thereof till Wednesday next.

The question being on postponing the consideration of the subject till Wednesday next,

It was not agreed to

The question then recurring on rejecting said bill,

Pending which,

The special order for the day was called for, being the Majority Report of the Committee on Elections.

Mr. Buskirk moved to suspend the special order of the day till Monday next, at 2 o'clock, P. M.

Which was agreed to.

Mr. Dunham moved that there be printed two hundred copies of the Majority and Minority Reports of the Committee on Elections.

Mr. Higgins moved to lay the motion to print on the table.

Messrs. Brown and Thatcher demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burnes, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lockhart, Major, Miller of Tippecanoe, McVey, Newcomb, Olleman, Reese, Riford, Sabin, Shuey, Sim, Steward, Stivers, Stringer, Trusler, Upson,



Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—49.

Those who voted in the negative were,

Messrs. Abbett, Brown, Burton, Burwell, Buskirk, Chambers, Collins, Colover, Croan, Dunham, Glazebrook, Gregg, Griffith, Hargrove, Harrison, Howard, Humphreys, Hunt, Lemon, Lopp, Miller of Clinton, Milroy, Montgomery, Osborn, Perigo, Puett, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Spencer, Stenger, Stuckey, Sullivan of Posey and Vanderburg, Thatcher, Veach and White—37.

So the motion to lay Mr. Dunham's motion on the table was agreed to.

Mr. Branham moved to suspend the order of business and take from the table Senate Joint Resolution No. 16.

Which was agreed to.

Senate Joint Resolution No. 16. A Joint Resolution accepting and ratifying certain amendments to the Constitution of the United States, proposed by Congress to the Legislatures of the several States, Was read a first time.

Mr. Buskirk moved that it be deemed expedient to suspend the Constitutional rule, requiring bills to be read on three several days, and read said Joint Resolution a second time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Colover, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Johnson, Lockhart, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Puett, Reese, Rhoads, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Spencer, Steward, Stenger, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Veach, Welch, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—75.

Those who voted in the negative were,

Messrs. Glazebrook, Gregg, Hargrove, Howard, Lemon, Lopp and Stuckey—7.

H. J.—25

So it was deemed expedient to suspend the Constitutional rule, and Senate Joint Resolution No. 16, was read a second time, and referred to the Committee of the Whole House.

On motion by Mr. Buskirk,

The House resolved itself into Committee of the Whole, with Senate Joint Resolution No. 16 under consideration, with Mr. Henricks in the Chair.

After remaining in session for some time, the Committee rose and made the following report, through its Chairman.

MR. SPEAKER :

The Committee of the Whole, to whom was referred Senate Joint Resolution No. 16, have had the same under consideration, and desire me to report progress, and ask leave to sit again this afternoon, at 2 o'clock.

Which was concurred in.

Mr. Brown moved that when the House adjourn, it be till 2 o'clock P. M.

Which was agreed to.

Mr. Groves moved the House do now adjourn.

Which was agreed to.

---

2 o'clock, P. M.

The House met.

Mr. Branham moved that the House resolve itself into the Committee of the Whole House, and take up Joint Resolution No. 16.

Which was agreed to.

Mr. Henricks in the Chair. After remaining in session for some time, the Committee rose and made the following report, through its Chairman.

MR. SPEAKER :

The Committee of the Whole House, to whom was referred Senate Joint Resolution No. 16, have had the same under consideration, and desire me to report progress, and ask leave to sit again on Monday morning next, at 9 o'clock.

Which was concurred in.

Mr. Buskirk moved that when the House adjourn it be till 9 o'clock, Monday morning.

Which was agreed to.

On motion by Mr. Collins,  
The House adjourned.

MONDAY MORNING, 9 O'CLOCK, }  
February 13, 1865.

The House met.

On motion by Mr. Branham,  
The reading of the journal was dispensed with.

Mr. Branham then moved that the House resolve itself into Committee of the Whole House for the consideration of Senate Joint Resolution No. 16, and the Governor's Message on the same subject.  
Which was agreed to.

Mr. Henricks in the Chair.

After remaining in session for some time, the Committee rose and made the following report through their Chairman.

MR. SPEAKER :

The Committee of the Whole House to whom was referred Senate Joint Resolution No. 16, and the Governor's Message on the same subject, have had the same under consideration, and made some progress, ask leave to sit again.

Mr. Buskirk moved that the report be concurred in.  
Which was agreed to.

Mr. Olleman moved that when the House adjourn it be till 2 o'clock this afternoon.

Which was agreed to.

On motion by Mr. Woods,  
The House adjourned.

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2 O'CLOCK, P. M.

The House met.

On motion by Mr. Miller, of Tippecanoe,

A call of the House was ordered, when the following members answered to their names.

Messrs. Atkinson, Banta, Bird, Bonner, Boyd, Branham, Burwell, Buskirk, Chambers, Collins, Colover, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Johnson, Kilgore, Lasselle, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Newcomb, Osborn, Perigo, Puett, Reese, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Sim, Steward, Stenger, Stuckey, Thatcher, Trusler, Upson, Veach, White, Woods, Wright, Zeigler and Mr. Speaker.—71.

There being a quorum present, the further call of the House was dispensed with.

Mr. Trusler, asked and obtained leave of absence for Mr. Brown for this week.

Mr. Rhoads, by unanimous consent, from the Committee on Education, made the following report :

MR. SPEAKER:

The Committee on Education, respectfully submit the following bill entitled "a bill to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith."

The bill has been prepared after carefully considering the educational wants of the State, and if passed will, it is confidently believed, relieve the embarrassment and remedy the defects that have heretofore existed in our educational system. The Committee believing

that the education of the youth of the State, as a system, should assume the breadth and dignity, and completeness, of a State Institution, have so prepared this bill, that if it becomes a law, the State will come up to the full measure of its responsibility in the matter of public education.

It is therefore submitted with the earnest recommendation that it pass.

On motion,

The report was laid on the table, and 200 copies of the bill ordered to be printed for the use of the House.

#### THE SPECIAL ORDER FOR THE DAY.

The special order for the day was the consideration of the report of the Committee on Elections, with the following resolutions:

*1st. Resolved,* That Higgins Lane was duly elected as one of the Representatives in the State Legislature for Putnam County, Ind., on the 11th day of October, A. D. 1864, and, by virtue of such election, he is entitled to take his seat as such Representative in this House.

*2d. Resolved,* That Ambrose D. Hamrick was duly elected as one of the Representatives in the State Legislature for Putnam County, Indiana, on the 11th day of October, A. D. 1864, and, by virtue of said election, he is entitled to take his seat as such Representative in this House.

*3d. Resolved,* That Austin M. Puett, who now holds a seat in this House as one of the Representatives of Putnam County, Indiana, was not elected as such Representative, and is, therefore, not entitled to hold a seat in this House.

*4th. Resolved,* That Samuel Colover, who now holds a seat in this House as one of the Representatives of Putnam County, Indiana, was not elected as such Representative, and is, therefore, not entitled to hold a seat in this House.

Mr. Lasselle, from the Committee on Elections, made the following minority report:

MR. SPEAKER:

The undersigned, members of your Committee on Elections, to whom was referred the case of Messrs. Higgins Lane and Ambrose D. Hamrick, as contestants, and Messrs. Samuel Colover and Austin M. Puett, as contestees, wherein the former claim the seats now held in this House by the latter as Representatives from the County of Putnam, have had the same under consideration in Committee, and

beg leave to submit the following as a minority report of the matters under consideration :

They find from the official returns of the election for said office, as stated by the majority of the Committee that the parties named respectfully received the following number of votes at said election, to-wit :

Samuel Colover received.....	2124
Austin M. Puett “ .....	2105
Higgins Lane “ .....	2073
A. D. Hamrick “ .....	2062

From which it appears that Mr. Colover received a majority of 51 votes over Mr. Lane, and a majority of 62 votes over Mr. Hamrick, and that Mr. Puett received a majority of 32 votes over Mr. Lane, and a majority of 43 votes over Mr. Hamrick. So far as the official count and returns of said election are concerned, there seems to be no question between the parties; but it is mutually alleged that frauds or irregularities have been committed by the friends of both parties, and that illegal votes have been cast and counted to each of them. Hence the undersigned have had some difficulty in arriving at a joint conclusion in the premises, as is inevitably the case in issues of this character. The principal charge of fraud in the case, as stated by the majority of the Committee, consists in the allegations of the contestors, that in the Township of Cloverdale, in said County of Putnam, a number of ballots, (amounting to thirty-five,) and cast for them, were fraudulently abstracted from the ballot-box, and the same number of ballots, having on them the names of the contestees, placed therein and substituted in their stead; and the majority of the Committee, for this supposed fraud, insist that the entire vote of the township should be rejected by this House. In regard to this question the undersigned would say that a careful investigation of all the testimony upon the subject, they are fully satisfied that there is no evidence whatever tending to show the commission or fact of such fraud, other than such as might be inferred from the depositions of witnesses who state, implicitly or expressly, that they cast votes at such precinct greater in number than the official returns thereof would indicate.

For this reason, as well as the further reason (even conceding the fraud,) that it would in their opinion, be unlawful, as well as unjust, to the voters whose ballots are not implicated, to discard the entire vote of the township, the undersigned would respectfully and earnestly protest against the rejection of the entire vote of the township of Cloverdale, and the consequent disfranchisement of all the voters thereof.

In regard to this question, raised by the majority of the Committee, that because of the evidence adduced, the whole vote of Cloverdale township should be thrown out and not counted, we beg leave to sub-

mit the following section of the 1st Vol. R. S. Ind., Gavin & Hord, p. 318.

SEC. 15. No irregularity or mal-conduct of any member or officer of a Board of Judges or canvassers, shall set aside the election of any person, unless such irregularity or mal-conduct was such as to cause the contestee to be declared elected, when he had not received the highest number of legal votes ; nor shall any election be set aside for illegal votes, unless the number thereof given to the contestee, if taken from him, would reduce the number of his legal votes below the number of legal votes given to some other person for the same office.

Nothing could be added which would give force to this law. It is exactly in point, and meets the whole question. It was never intended that the illegal act of some fraudulent person should disfranchise legal voters.

In this case, also, it is not pretended that the Judges, or any one of them, perpetrated the alleged fraud. If done at all, it was done by some unknown person.

If the rule insisted on by the majority should prevail, it will be in the power of any one, evilly disposed, to disfranchise any township or precinct in the State, however numerous its voters. It was to prevent such absurd consequences, that this enactment was made. It was to protect honest men in the enjoyment of their rights. We submit that the conclusion on this point reached by the majority, is in direct violation of the law above cited, and destructive of fair elections.

But, as stated above, other illegal votes, fraudulent or otherwise, are alleged to have been cast at other precincts of said county. The contestors claim that three of such votes were given for the contestees, and the contestees claim that as many as fifty-six of such votes were given for the contestors. The undersigned are of the opinion, after a full investigation of the cases, that two of such illegal votes were given for the contestees, and that thirty of such votes were given for the contestors, seven of which are admitted by them to have been so given.

The undersigned would further say, in regard to the Cloverdale vote, that, even conceding such fraud to have been committed to some extent, or that certain votes should be deducted from the vote of the contestee and added to that of the contestors in view of the evidence in the case, still there are at least seven votes thereof claimed by the contestors to have been cast for them, that are not, in the opinion of the undersigned, proven to have been so cast.

Deducting these seven votes from the number claimed by the contestors as cast for them at that precinct, and also deducting from their total vote the illegal votes cast for them at other precincts, as above stated, the result will show the election of Mr. Colover by a majority of twenty-three votes over Mr. Lane, and by a majority of

thirty-four votes over Mr. Hamrick, and also the election of Mr. Puett by a majority of four votes over Mr. Lane, and by a majority of fifteen over Mr. Hamrick.

The undersigned would further beg leave to submit the following statement as the result of the conclusions to which they have arrived, and as a more detailed and intelligible view of the condition of each vote as entertained by them, from the evidence, to-wit:

Official vote of Samuel Colover.....	2,124
Deduct illegal votes of minors.....	2
Deduct Cloverdale votes, 35 less 7, not proven to have been voted for contestors .....	28
Making .....	30
<hr/>	
Total vote for Mr. Colover .....	2,094
Official vote of Austin M. Puett.....	2,105
Deduct illegal votes of minors.....	2
Deduct Cloverdale township votes, 35 less 7, not proven to have been cast for contestors.....	28
—	30
<hr/>	
Total vote for Mr. Puett .....	2,075
Official vote of Higgins Lane .....	2,073
Add Cloverdale vote, 35 less 7, not proven to have been cast for contestors.....	28
<hr/>	
Making in all.....	2,101
Deduct illegal votes of minors, admitted by contestors.....	7
Deduct non-resident students' votes.....	15
Deduct other non-resident votes.....	7
Deduct other minor vote.....	1
—	30
<hr/>	
Total vote of Mr. Lane.....	2,071
Official vote of Ambrose D. Hamrick.....	2,062
Add Cloverdale votes 35 less 7, not proven to have been cast for contestors.....	28
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	2,090
Deduct votes of minors admitted.....	7
Deduct non-resident students' votes.....	15
Deduct other non-resident votes .....	7
Deduct other minor vote.....	1
—	30
<hr/>	
Total vote for Mr. Hamrick. ....	2,060



In accordance with the foregoing statement, even conceding that a fraud was perpetrated at the township of Cloverdale, which we deny as having been done, it will be seen, as claimed by us, as we think, justly, that still Mr. Colover and Mr. Puett has received a larger number of legal votes in said election than the contestors, Mr. Lane and Mr. Hamrick, by the majorities before stated.

We therefore respectfully report the following resolutions and recommend their adoption by the House, to-wit:

1st. *Resolved*, That Samuel Colover is duly elected a Representative from the county of Putnam to the General Assembly of Indiana, and that, as such, he is entitled to his seat in this House.

2d. *Resolved*, That Austin M. Puett is duly elected a Representative from the county of Putnam to the General Assembly of Indiana, and that, as such, he is entitled to a seat in this House.

All of which is respectfully submitted.

CHARLES B. LASSELLE,  
OCHMIG BIRD.

Mr. Buskirk moved that the two last resolutions, as reported by the majority of the Committee, be laid on the table.

Which was not agreed to.

On motion of Mr. Newcomb,

Mr. Lane, the contestant of Mr. Puett, and Mr. Hamrick, the contestant of Mr. Colover, were allowed the privilege of addressing the House in their own behalf.

Message from the Senate, by Mr. Whittlesey, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following concurrent resolution, to-wit:

WHEREAS, A few weeks more time would enable the State of Indiana to fill her quota by volunteers under the late call of the President of the United States; therefore,

*Resolved by the Senate, of the State of Indiana, (the House of Representatives concurring).* That the President of the United States be and he is hereby requested, if not incompatible with the public welfare, to extend the time for filling the quota of the State of Indiana, for the period of thirty days, or to grant such other extension of time, as to his Excellency may seem expedient.

2d. That His Excellency, Gov. O. P. Morton, be requested to forward the above resolution to the President of the United States, by telegraph.

In which the concurrence of the House is respectfully requested.

Which, by unanimous consent, was taken up and read, and,

On motion,

Was concurred in.

Mr. Chambers, from the Committee on Engrossed Bills made the following report :

MR. SPEAKER :

The Committee on Engrossed Bills have carefully examined and compared Engrossed House bills Nos. 29, 31, 53, 62, 75, 79, 88, 68, 106 and 147, with the original bills and find that the same have, in all respects, been accurately and correctly engrossed.

Mr. Gregory, of Warren, moved to postpone the further consideration of the case of Messrs. Hamrick and Colover, till to-morrow morning.

Which was not agreed to.

Mr. Rhoads moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put ?  
It was so ordered.

The question being on adopting the resolutions as reported by the minority of the Committee.

It was not agreed to.

The question then recurring on the adoption of the first and third resolutions as reported by the majority of the Committee.

Messrs. Buskirk and Miller, of Clinton, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hendricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Reese, Rhoads, Riford, Sabin, Shuey, Sim,

Steward, Stivers, Stringer, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—55.

Those who voted in the negative were,

Messrs. Bird, Burton, Buskirk, Coffroth, Colover, Croan, Glazebrook, Gregg, Hargrove, Harrison, Howard, Humphreys, Hunt, Lasselle, Lemon, Lopp, Miller of Clinton, Milroy, Osborn, Perigo, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stenger, Thatcher, Veach and White—28.

So the resolutions were adopted.

Mr. Lane then came forward and was sworn into office by the Speaker, took his seat and entered upon the discharge of his duties.

Mr. Newcomb moved that when the House adjourn, it be till 7½ o'clock this evening.

Mr. Sim offered the following Resolution :

*Resolved*, That the Hall of the House of Representatives be tendered Mrs. Wilhelm for the purpose of delivering a lecture on the state of the country, on Wednesday evening of this week.

Which was agreed to.

Leave of absence was granted Mr. Branham and Mr. Wright, until Friday next.

Mr. Hoover moved that the House do now adjourn.

Which was agreed to.

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7½ o'clock, P. M.

The House met.

On motion by Mr. Branham,

The House resolved itself into a Committee of the Whole, with Senate Joint Resolution No. 16 and Governor's Message, and the same subject under consideration, with Mr. Henricks in the Chair.

After remaining in session for some time, the Committee rose and made the following report, through its Chairman :

MR. SPEAKER :

The Committee of the Whole House, to whom was referred Senate Joint Resolution No. 16, have had the same under consideration, and have directed me to report the same back to the House and recommend its passage.

Which was concurred in.

Senate Joint Resolution No. 16. A Joint Resolution accepting and ratifying certain amendments to the Constitution of the United States, proposed by Congress to the Legislatures of the several States,

Was read a third time, and the question being shall the Joint Resolution pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burns, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henriks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lane, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Reese, Rhoads, Riford, Sabin, Shuey, Sim, Stewart, Stivers, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker.—56.

Those who voted in the negative were,

Messrs. Bird, Burwell, Buskirk, Coffroth, Collins, Collover, Croan, Glazebrook, Gregg, Hargrove, Harrison, Howard, Humphreys, Hunt, Lasselle, Lemon, Lopp, Miller of Clinton, Milroy, Osborn, Perigo, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stuckey, Thatcher, Veach and White.—29.

So Senate Joint Resolution No. 16 passed.

The question being shall the title, as reported, stand as the title of said Joint Resolution?

It was so agreed.

*Ordered*, That the Clerk inform the Senate of the passage thereof.

Mr. Woods offered the following resolution :

*Resolved*, That a certified copy of the Joint Resolution ratifying the amendment proposed by Congress, for abolishing slavery through-

out the United States, and all places under its jurisdiction, be engrossed on vellum and be forwarded by his Excellency, the Governor, to the President of the United States, with the request that he lay the same before Congress.

Which was adopted.

Mr. Hoover moved that the House do now adjourn.

Which was agreed to.

TUESDAY MORNING, 9 o'CLOCK, A. M., }  
February 14, 1865. }

The House met pursuant to adjournment.

The Speaker ordered a call of the House, when the following members answered to their names :

Messrs. Atkinson, Banta, Bird, Boyd, Branham, Buskirk, Chambers, Church, Collins, Cox, Croan, Crook, Dunham, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Hershey, Higgins, Hogate, Hoover, Hunt, James, Johnson, Kilgore, Lane, Lee, Lockhart, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Olleman, Osborn, Perigo, Reese, Rhoads, Richardson, Riford, Sabin, Shuey, Sim, Spencer, Stewart, Stenger, Stringer, Stuckey, Sullivan of Scott, Sullivan of Posey and Vanderburg, Trusler, Veach, White, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker.—67.

There being a quorum present, the further call was dispensed with.

The Clerk proceeded to read the Journal, when,

On motion by Mr. Branham,

The further reading thereof was dispensed with.

Messrs. Spencer, Dunham, Stringer, Burton, and Sullivan, of Scott, by unanimous consent, were allowed to record their votes against the passage of Senate Joint Resolution No. 16, as of yesterday.

Messrs. Dunham, Spencer, Collins, and Sullivan, of Scott, by unanimous consent, were allowed to record their votes against the adoption of the first and third resolutions, as reported by the majority of the Committee on Elections, as of yesterday.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. Osborn,

A petition from sundry citizens along the line of the White Water Canal, praying for the construction of a railroad on the line of said Canal.

Which was referred to the Committee on Railroads.

By Mr. Gregg,

On the same subject.

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. Veach,

On the same subject.

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. Wright,

On the same subject.

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. White,

On same subject.

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. —,

A petition from sundry citizens along the line of the White Water Valley Canal, on the same subject.

Which,

On motion,

Was referred to the Committee on Railroads.

By Mr. Rhoads,

A petition of the citizens of Sullivan County, Indiana, praying that the law granting license may be amended so as to require the applicant for license to procure the signatures of a majority of the voters.

Which,

On motion,

Was referred to the Committee on Temperance.

By Mr. Stuckey,

A petition from sundry citizens of Owen County, Indiana, praying that the law granting license to retail spirituous and intoxicating liquors, may be so amended as to require the applicant for license to procure the signatures of a majority of the voters.

Which was referred to the Committee on Temperance.

By Mr. Emerson,

A petition from sundry citizens of Spencer County, Indiana, praying that the law granting license to retail spirituous and intoxicating liquors may be so amended as to require the applicants for license to procure the signatures of a majority of the voters.

Which was referred to the Committee on Temperance.

By Mr. Welch,

A petition from sundry citizens of Switzerland County, Indiana, on the same subject.

Which,

On motion,

Was referred to the Committee on Temperance.

By Mr. Dunham,

A petition from sundry citizens of Hendricks and Morgan counties, praying that the election laws of the State of Indiana be so amended as to stay the tendency to corrupt elections, and restore and preserve the purity of the ballot box.

On motion by Mr. Newcomb,

The petition was referred to a special Committee of three.

By Mr. Sullivan, of Scott,

A petition of John M. Hornaday, and numerous other tax payers of Scott County, asking that provision be made for the payment by the State of property taken during the Morgan Raid.

Which,

On motion,

Was referred to the Committee on the Judiciary.

By Mr. Sullivan, of Scott,

A petition from sundry citizens of Scott County, on the same subject.

Which,

On motion,

Was referred to the Committee on the Judiciary.

By Mr. McVey,

A claim of Miles J. Fletcher for three hundred and eighty-four dollars and sixty-seven cents.

Which,

On motion,

Was referred to the Committee on Claims.

By Mr. Olleman,

A claim of John Matthews.

Which,

On motion,

Was referred to the Committee on Claims.

By Mr. Hogate,

A claim of J. H. Dooley, for \$17 05.

Which,

On motion,

Was referred to the Committee on Claims.

By Mr. Hogate,

A claim.

STATE HOUSE, HALL OF REPRESENTATIVES, }  
INDIANAPOLIS, Feb. 13, 1865. }

To Eli & Bruner debtor (\$58 00) fifty-eight dollars.

Which,

On motion,

Was referred to the Committee on Claims.



By Mr. Major,

A petition from sundry citizens of Morgan County, praying the publication of the reports of the Board of Agriculture.

Which,

On motion,

Was referred to the Committee on Agriculture.

By Mr. Lopp,

A petition from sundry citizens of Harrison County, praying for the passage of an act to provide for the payment of losses sustained by sundry citizens of the State of Indiana during the Morgan rebel raid through this State, in the summer of 1863.

Was referred to the Committee on the Judiciary.

By Mr. Lopp,

A petition from sundry citizens of Harrison County on the subject of the Morgan raid.

Which,

On motion,

Was referred to the Committee on the Judiciary.

By Mr. Lemon,

A petition from sundry citizens of Harrison County, on the same subject.

Which,

On motion,

Was referred to the Committee on the Judiciary.

By Mr. Newcomb,

A petition from sundry citizens of Marion County, praying the amendment of the game law so as to protect squirrels.

Which,

On motion,

Was referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

By Mr. Rhoads,

A petition from sundry citizens of Vermillion County, on the subject of legalizing certain acts of the County Commissioners.

Which,

On motion,

Was laid on the table.

By Mr. ———,

A memorial from George Lee, of Parke County.

Which,

On motion,

Was referred to the Committee on the

By Mr. Major,

A petition from sundry citizens of Morgan County, on the subject of temperance.

Which,

On motion,

Was referred to the Committee on Temperance.

Mr. Dunham received leave of absence for the balance of the week.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Riford, from the Committee on County and Township Business, made the following report :

MR. SPEAKER :

The petition (No. 7) referred to the Committee on County and Township Business beg leave to report that such legislation is inexpedient, and, therefore, recommend that said petition lie on the table.

Which was concurred in.

Mr. Riford, from the Committee on County and Township Business, made the following report :

MR. SPEAKER :

Your Committee, to whom was referred House bill No. 124, by Mr. Stringer, would respectfully report that they have had the same under consideration, and have instructed me to report the same back to the House, and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Trusler, Chairman of the Military Committee, made the following report :

MR. SPEAKER :

The Military Committee, to whom was referred House bill No. 94, respectfully represent that they have had the same under considera-

tion, and direct me to report the following amendments, and, when so amended, they recommend its passage :

Amend section one, line 3, by adding the words "of the State" after the word "Militia."

Amend section two, line 1, by adding the words "of the State" after the word "Militia."

Amend section three, line 2, by adding the words "of property" after the word "assessment."

Amend line three, by striking out "assessment district" and substituting therefor "town or township," and by striking out the word "receiving," and substituting the words "under this act shall receive."

Amend line four by inserting the word "therefor" after the word "compensation" and the word "enrolled."

Amend line five by adding the words "the said rolls are" before the word "completed" and striking out the words "of said roll" and substituting therefor the word "thereof,"

Amend line — of this section by adding the words "under the provisions of this act" after the word "submitted."

Amend line ten by inserting the letter "a" after the word "with."

Amend line eleven by adding the words "and for record" after the words "Commander-in-Chief."

Amend section four, line one, by inserting the word "hereby" after the word "is," and striking out the word "possible" after the word "all."

Amend line two by adding the word "the" after the word "to," and by striking out the word "so" and substituting the words "as aforesaid," after the word "liable."

Amend line three by striking out the word "request," and substituting the words "the demand of assessor."

Amend line five by striking out the words "exemption laws" after the word "of," and the words "the right of appeal," and substituting therefor the words "valuation laws."

Amend line six by striking out the words "forwarded to the," and substituting therefor the words "paid by the County Treasurer in his settlement to the."

Amend section five, line 1, by striking out the word "so" and by inserting the words "in this act," after the word "prescribed."

Amend line two by inserting the words "as herein directed" after the word "same," and by striking out the words "be liable to a fine of" and substitute the words "after conviction thereof be final."

Amend line three by inserting the words "and costs of suit" after the word "dollars."

Amend line four by striking out the words "to be transmitted," and substituting the words "shall be paid."

Amend section 6, by inserting after the word "person" the words "or persons."

Amend line 4 by striking out the word "laws," and the word "appeal," and substituting the words "valuation laws" after the word "or."

Amend section 7, line 1, by striking out the word "County," and by inserting after the word "officer" the words "created by this act, or who shall be charged or empowered to carry out the provisions thereof;" and by striking out the word "using" and substituting the words "who shall use," and by striking out the word "accepting" and substituting the words "who shall accept."

Amend the second line by striking out the word "properly."

Amend line 3, by inserting after the words "under this act," and by inserting after the word "State" the words "before any Court of record."

Amend line 4 by striking out the words "be liable," and by striking out the words "to a fine of one" and substituting therefor the words "thereof shall be fined in any sum not less than one hundred dollars and not more than five hundred dollars."

Amend section 8, line 1, filling the blank with the words "The Indiana National Guard."

Amend section 9, line 3, by striking out the word "each."

Amend section 10, line 4, by striking out the word "view," and substituting the word "regard," and by striking out the word "promptly" and substituting the words "the prompt," and by inserting the word "of" after the word "assembling."

Amend section 11, line 5, by inserting after the word "draft" the words "as hereinafter provided."

Amend section 12, line 2, by striking out the word "to" and substituting the words "who shall," and by striking out the words "the company" and substituting the words "their respective companies."

Amend section 13 line 2, by striking out the words "less than" and substituting the words "not exceeding."

Amend line 4, by inserting the word "satisfactory" after the word "furnished."

Amend line 5, by inserting after the word "or" the word "have."

Amend section 14, line 2, by inserting after the word "and" the word "they."

Amend section 15, line 2, by striking out the word "organization" and substituting the word "organizing."

Amend line 3, by striking out the word "and" and substituting the word "or."

Amend section 16, line 1, by striking out the word "needed" and substituting the word "required," and after the word "for" inserting the word "the."

Amend line 3, by inserting after the word "or" the word "if."

Amend line 9, by striking out the word "will" and substituting the word "shall," and after the word "notified" inserting the words "the Adjutant General."

Amend line 11 by inserting after the word "dollars" the words "to be recovered upon the complaint of the Adjutant General," and after the word "or" inserting word "other."

Amend line 13 by inserting after the word "increased" the words "by the Commander-in-Chief," and by inserting after the word "draft" the words "as herein provided."

Amend line 12 by inserting after the word "order" the words "such delinquent shall be liable."

Amend line 17 by inserting after the word "is" the word "hereby."

Amend line 19 by inserting the word "the" after the word "in," and by inserting the word "the" after the word "of."

Amend line 20 by striking out the word "and," and substituting the word "but."

Amend line 21 by inserting the word "and" after the word "service."

Amend section 17, line 4, by striking out the words "the border or other," and substituting "any district or."

Amend line 5 by inserting after the word "district" the word "county."

Amend line 10 by striking out the word "approximate," and substituting the word "in."

Amend section 19, line 3, by inserting after the word "surgeon" the words "who shall rank with corresponding grades in the United States army."

Amend section 22, line 1, by striking out the word "attaching," and substituting the words "allowed by."

Amend line 2 by striking out the word "of," and substituting the word "in."

Amend line 3 by striking out the words "United States Regulations," and substituting the words "Regulations of the United States Army."

Amend line 4 by inserting after the word "tactics" the words "prescribed for the same."

Amend section 23, line 1, by striking out the word "to," and substituting the words "who shall."

Amend line 2 by inserting the word "either" after the word "for," and by striking out the word "may," and substituting the word "shall."

Amend line 4 by striking out the words "commander-in-chief, and to be submitted to the Adjutant General," and substitute the words "Adjutant General."

Amend line 5 by striking out the words "with the application of said Company for original organization."

Amend section 24, line 1, by striking out the words "to organize," and substitute the words "for the organization of."

Amend line 3 by inserting after the word "or" the words "who may have won distinction in."

Amend section 26, line 4, by inserting after the word "or" the word "who."

Amend line 5 by inserting after the word "for" the word "the," and insert after the word "command" the words "he holds."

Amend section 27, line 1, by inserting after the word "ballot" the words "and shall be held," and striking out the word "upon."

Amend line 6 by striking out the words "direct and."

Amend section 29, line 2, by inserting after the word "arms" the words "upon the button."

Amend line 3 by inserting after the word "procured" the words "by the companies."

Amend line 4 by inserting in the blank "fifty-nine."

Amend section 30, line 1, by inserting after the word "is" the word "hereby."

Amend line 2 by striking out the word "to" and insert the words "who shall."

Amend line 3 by inserting after the word "provided" the word "for."

Amend line 4 by striking out the words "first tolling," and substituting the words "but shall first take."

Amend line 10 by striking out the words "Treasurer's Department," and substitute the words "State Treasurer, who shall credit the same to the Military Fund."

Amend section 31, line 6, by inserting after the words "of the" the word "State."

Amend line 9 by inserting after the word "those" the words "one hundred dollars, nor more than."

Amend line 11 by striking out the words "or Attorney General."

Amend section 32, line 2, by striking out the words "so late as," and substitute the words "later than."

Amend line 6 by inserting after the word "or" the word "have," and insert after the word "any" the word "other," and strike out the word "the" after the word "of," and strike out after the word "discipline" the words "of camp."

Amend line 8 by striking out the words "will be made," and substitute the words "the commanding officer of each company shall make out and forward."

Amend line 9 by striking out the words "within one week after said parade, and of the remaining two," and by striking out the words "shall be sent to the," and substituting the words "to the."

Amend the 10th line by striking out the word "may" and substitute the word "shall," and by striking out the words "the third" and substituting "one."

Amend the 11th line by adding after the word "State" the words "within ten days after the parade for which payment is claimed."

Amend section 33, line 3, by striking out the words "viz: as Brigadier General, Colonel, &c., as the case may be."

Amend line 4, by striking out the words "so called."

Amend line 6, by striking out the word "of" and substituting the word "for," and adding after the word "servants" the words "shall be allowed."

Amend section 34, line 3, by inserting after the word "transportation" the word "and," and strike out the word "to" and substitute the word "shall."

Amend section 35, line 3, by inserting the word "the" after the word "before," and by inserting the words "of this date" after the word "Courts."

Amend the 4th line, by inserting the words "person on" after the word "the," and by striking out the word "may" and inserting the word "shall."

Amend section 36, line 2, by inserting after the word "Auditors" the word "County Clerks, County Auditors," and inserting the word "County" after the word "and."

Amend section 37, line 2, by inserting the word "been" after the word "having," and by inserting after the word "Navy" the words "so discharged," and by striking out the words "and all members of the active militia, or such as shall have served five years, shall also be exempted from jury service, and from working the public roads," in lines 3, 4 and 5.

Amend line 6, by striking out the word "as" and substituting the



words "who shall," and by striking out the word "so," after the word "have."

Amend line 7 by striking out the words "on war requiring the aid of their experience," and insert the words "or public danger."

Amend section 38, line 2, by inserting the word "public" after the word "other."

Amend section 40, line 5, by inserting after the words "Adjutant General" the words "in writing," and striking out the words "in advance."

Amend section 42, line 6, by striking out the word "for," and substituting the word "of."

Amend line 10, by striking out the words "shall be," and substituting the words "shall be collected by the commanding officer of such Camp, and shall be by him."

Amend section 43, line 1, by striking out the word "either" and substituting the word "any."

Amend line 2, by striking out the word "either" and substituting the word "any."

Amend the 4th line, by inserting the word "and" after the word "dollars," and strike out the words "to be," and substitute the words "shall be."

Amend line 8, by striking out the word "to" and substituting the word "for."

Amend line 9, by inserting the word "upon" after the word "or."

Amend line 10, by striking out the words "shall be," and inserting "when," and inserting the words "shall be" after the word "imposed," and inserting the words "and the same," after the word "commission."

Amend line 12, by striking out the word "judgment," and substituting the words "execution thereon issue."

Amend line 13, by striking out the words "exemption laws, stay or appeal, and be collected forthwith," and substituting the words "valuation laws to be collected."

Amend section 44, line 2, by striking out the word "stated," and substitute the word "general."

Amend line 8 by striking out the words "on other debts, on execution, as in cases elsewhere provided," and substitute the words "provided for in section 30 of this act."

Amend section 45, line 2, by striking out the word "furnishing," and substituting the word "and," and inserting after the word "transportation," the words "shall be furnished."

Amend line 3 by striking out the word "through," and substituting the word "by," and striking out the words "authorizing the issue of arms," and substituting the words "he shall cause to be issued."

Amend line 4 by inserting the word "the" after the word "issued," and by inserting the words "of the United States army" after the word "ration."

Amend line 6 by inserting the words "by the officer in command" after the word "selected."

Amend section 48 by inserting the letter "a" after the word "give."

Amend section 50 by inserting the word "and" after the word "collected," and by striking out the word "to" and substituting the word "shall," and insert the words "from the Military Fund" after the words "Quartermaster-General."

Amend section 51 by striking out the word "passage," and substituting the words "taking effect."

Amend line 1 by inserting the words "by any authority whatever" after the word "issued."

Amend line 2 by inserting the words "or private individuals" after the word "company."

Amend line 4 by inserting the word "the" after the word "arms."

Amend line 7 by inserting the words "or of private individuals" after the word "reorganize," and inserting the words "who shall" after the word "and."

Amend section 52, line 1, by inserting the word "hereby" after the word "is."

Amend line 3 by striking out the words "if the interest of the service seem to require," and substitute the words "or when companies or private individuals shall fail, or refuse to give up, or return such arms as provided in this act."

Amend section 53, line 3, by inserting the word "and" after the word "service," and strike out the word "to" and substitute the word "shall," and insert the word "the" after the word "to."

Amend section 54, line 8, by striking out the words "exemption law" and insert the words "valuation laws," and insert the word "and" after the word "laws."

Amend line 9 by striking out the word "to" and substitute the word "shall," and strike out the word "transferred" and substitute the word "credited," and insert after the word "state" the words "as heretofore provided."

Amend section 8, line 4, by inserting after the words "military secretaries" the word "each."

Amend section 59, line 2, by inserting after the word "war" the word "and."

Amend line 4 by inserting the words "be necessary" after the word "may."

Mr. Trusler moved to lay the report on the table, and make it the special order for the day for Thursday next, at 10 o'clock, A. M.

Which was agreed to.

Mr. Gregory, of Warren, from the Committee on Education, made the following report :

MR. SPEAKER:

The Committee on Education, to whom was referred the report of the Hon. Samuel L. Rugg, Superintendent of Public Instruction, in answer to the resolution of Mr. Rice, of Parke County, in relation to large sums of money lying idle and unloaned by the County Auditors in certain Counties of [the] State, which belong to the Common School Fund. Your Committee, after a careful examination of said report, are deeply impressed with the fact that some action should be taken, and measures adopted at the present session of this Legislature, by which the moneys belonging to the Common School Fund, should be kept in a condition so that the greatest amount of benefit should be derived from the same, to do this, two modes are suggested—either increase the amount to be loaned to individuals, or invest the principal of that fund in State or United States stocks, bearing the greatest amount of interest that could be procured. Your Committee would report that they are in favor of the former proposition—to keep the money in the Counties, and increase the amount to be loaned to individuals. Your Committee can not close this their report without an expression of entire satisfaction of the official conduct of the Hon. Samuel L. Rugg, Superintendent of Public Institu-

tion, in the manner in which he has discharged his public duties, and the great personal interest manifested by him in behalf of the Common Schools of this State, and his willingness to confer with your Committee at this session of the Legislature in behalf of the great interest of education in our State.

Which was laid on the table.

Mr. Gregory, from the Committee on Education, made the following report :

MR. SPEAKER :

The Committee on Education, to whom was referred the petition of Jesse S. Harper and others, in the military service of the United States, No. 9, requesting the present Legislature to apply certain lands granted by the United States to the State of Indiana, for the endowment and support of an Agricultural College, to the founding and support of a home or homes for disabled soldiers and seamen, &c., beg leave to report, that they have maturely considered that subject, and would gladly grant the request if we could believe it would not be a diversion from the grant of Congress, which was in our opinion intended by Congress a grant solely for the benefit of Agriculture and the Mechanic Arts, wherein might be taught Military Tactics. Your Committee, therefore, recommend that no action be further had on said petition.

Which was concurred in.

Mr. Gregory, of Warren, from the Committee on Education, made the following report :

MR. SPEAKER :

The Committee on Education, to whom was referred House resolution No. 7, introduced by Mr. Woods of Lake county, respectfully requesting said Committee to consider the propriety of prohibiting by law County Boards from investing unloaned Common School funds in the bonds of the Counties owning such funds, have had the same under consideration, and have instructed me to report, that further legislation on that subject is inexpedient, for the reason that we conceive there is now no authority by law, to warrant the Commissioners of Counties to invest any part of the School funds of their Counties in County Bonds, and that such an act on their part of the Boards of Commissioners is not warranted by the law as it is ; that by the present School law the several Counties are liable for the safety of the principal and interest of said fund.

Which was laid on the table.

Mr. Chambers, from the Committee on Engrossed Bills, made the following report :

MR. SPEAKER:

The Committee on Engrossed Bills have carefully compared Engrossed House bill No. 82, with the original bill, and find that the same has in all respects been accurately and correctly engrossed.

ORDERS OF THE DAY.

The pending question being on the motion made by Mr. Buskirk yesterday, to reject House bill No. 165.

Mr. Higgins moved to lay the motion to reject on the table.

Messrs. Buskirk and Osborn demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bonner, Branham, Burnes, Chambers, Cook, Cox, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lane, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, Newcomb, Olleman, Reece, Rhoads, Riford, Sabin, Shuey, Steward, Stivers, Stringer, Sullivan of Posey and Vanderburg, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Zeigler and Mr. Speaker—46.

Those who voted in the negative were,

Messrs. Bird, Boyd, Burton, Burwell, Buskirk, Coffroth, Collins, Colover, Croan, Crook, Dunham, Emerson, Glazebrook, Gregg, Groves, Hargrove, Harrison, Humphreys, Hunt, Lasselle, Lemon, Lopp, Miller of Clinton, Osborn, Perigo, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Spencer, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach and White—37.

So the motion to reject was laid on the table.

On motion by Mr. Higgins,

House bill No. 165, was referred to the Committee on the Judiciary.

Mr. Kilgore offered the following resolution:

WHEREAS, The officers in the field find great difficulty in settling their accounts for Quartermaster and Ordnance stores, issued to them by the State of Indiana, and for which they are held accountable by the General Government, owing to their inability to procure correct statements of their accounts, having lost all their papers while in the field.

AND WHEREAS, the books of the Quartermaster General and Chief of Ordnance, contain all the information desired,

AND WHEREAS the said accounts from the commencement of the war up to the 31st day of December, 1862 have been printed,

*Resolved*, That the Quartermaster General and Chief of Ordnance, of the State of Indiana, be, and they are hereby directed, to cause full abstracts and returns of the same to be prepared, printed and bound, so far as they have not been printed, 8000 copies of said report, 3000 copies to be bound in full law, and that the State Librarian be directed to forward the same without delay, to the Indiana officers in the field, and further, deliver one copy to each Indiana officer who may have been mustered out of the service, and may desire a copy, for the proper settlement of their accounts with the Federal Government.

Mr. Branham moved to refer the resolutions to the Committee on Public Printing, with instructions to report the probable cost of said printing.

Which was agreed to.

Mr. Buskirk offered the following resolution :

WHEREAS, The Honorable Nelson G. Shaffer, a Representative from the county of Fulton, departed this life in this city during the present session ;

AND WHEREAS, Subsequent to the death of said Shaffer, the citizens of the county of Fulton, of both political parties, in consideration of the great expense incurred by said Shaffer, and his limited means, and out of respect to the memory of the deceased and consideration of his family, passed a resolution requesting that no election should be ordered to take effect during the present session, and that the pay of the said Shaffer, as member of this House, should be paid to his widow ; therefore,

*Resolved*, That the Speaker of this House be, and he is hereby directed, to certify in favor of Lucy Shaffer, the widow of the said deceased, for the full amount of pay, mileage and stationery, that each member of the House is entitled to.

Mr. Newcomb, moved to strike out so much of the resolution as refers to stationery.

Mr. Burwell, moved to amend by allowing fifty dollars instead of that stated in the resolution.

Mr. Spencer, moved to lay the motion made by Mr. Newcomb on the table.

Which was not agreed to.

The question being on the motion of Mr. Newcomb "to strike out."

It was not agreed to.

The question recurring on the resolution of Mr. Buskirk, it was then adopted.

Mr. Spencer introduced House bill No. 166. A bill to amend the 148th section of an act entitled, an act providing for the settlement of decedents' estates, prescribing the rights, liabilities, and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement, approved June 17th, 1852.

Which was read a first time, and,

On motion,

Referred to the Committee on the Judiciary.

Mr. Sim, by unanimous consent offered the following resolution :

*Resolved*, That this House accept the invitation of His Excellency, Gov. O. P. Morton, to visit the camps near this city, and that to-morrow (Wednesday) at 2 o'clock, be fixed for said visit.

Mr. Newcomb, moved to amend by inserting "9 o'clock, A. M."

Which was agreed to.

The resolution as amended was then adopted.

Mr. Boyd, offered the following resolution :

*Resolved*, That hereafter during this present session, no member shall be allowed to speak on any subject a longer time than ten minutes unless by unanimous consent of the House.

Mr. Griffith moved to amend by inserting "fifteen minutes" instead of ten.

The question being on agreeing to the amendment.

Mr. Hoover, moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put.

It was so ordered.

The question being on striking out "ten" and inserting "fifteen" minutes.

It was not agreed to.

The resolution offered by Mr. Boyd, was then adopted.

#### SPECIAL ORDER FOR THE DAY.

Mr. Kiglore called for the special order for the day, being the 2d and 4th resolutions reported by the majority of the Committee in the contested election case of Hamrick *vs.* Colover.

The first question being will the House agree to the resolutions reported by the minority of said Committee,

Mr. Coffroth moved to further postpone the subject, and make it the special order for 2 o'clock P. M., on to-morrow.

Mr Colover moved to amend by making it the special order for 7 o'clock this evening.

Which was not agreed to.

The question being on the motion made by Mr. Coffroth,  
It was not agreed to.

Mr. Kilgore moved to make the subject the special order for the day for this afternoon at 3 o'clock.

Which was agreed to.

By Mr. Trusler,

House bill No. 167. A bill putting a limit on pay for service in obtaining substitutes and volunteers for the military or naval service of the United States in this State, and for taking the same without the limit of this State, and providing penalties for the violation thereof, and the recovery of such penalties, and fixing the limitation of such actions, and imposing certain duties on the County Auditors.

Which was read a first time, and,

On motion,

Referred to the Committee on Military Affairs.

Mr Rhoads offered the following resolution :

WHEREAS; The present holders of the Wabash and Erie Canal are charged in many counties of the State, with an intention of abandoning a portion of that Canal extending from Covington, in Fountain county, to Terre Haute, in Vigo county, and



WHEREAS; Such abandonment would work a serious injury to the people of the State residing in the counties through which said portion runs, and is a violation of the contract whereby the said holders acquired possession and control; therefore,

*Resolved*, That the Committee on Canals be instructed to investigate the matters set out in the above recital, and report by bill or otherwise, what legislation is necessary to require the holders of the said Canal to fulfill the contract whereby they hold the same, and so to regulate the rates of toll that it may not be oppressive upon those desiring to ship produce and merchandise, or to use the same as a means of transportation for any articles whatever.

Which,

On motion,

Was referred to the Committee on Canals.

On motion by Mr. Newcomb,

*Resolved*, That the Hon. Austin M. Puett be allowed his per diem as a member of this House up to and including this day, and that he be paid the sum of one hundred dollars allowed to each member on account of stationery and newspapers, less the amount charged against him by the Stationery Clerk, and that the Speaker be directed to draw his warrant in favor of said Austin M. Puett, late a member of this House, in conformity with this resolution.

Mr. Shoaff, of Allen, introduced

House bill No. 168. A bill to amend sections 11 and 12, chapter seven of the Revised Statutes of 1852, part 1st, volume 2d, being an act prescribing the powers and duties of Coroner, approved May 27th, 1852.

Which was read a first time, and,

On motion,

Was referred to the Committee on the Judiciary.

Mr. Ferris offered the following resolution :

*Be it resolved by the House of Representatives (the Senate concurring)*, That Senate bill No. 55, entitled, "An act to fix the time of holding the Court of Common Pleas in the 5th Indiana District, repealing all other laws on the same subject, and declaring when this act shall take effect," passed in the House February 8th, 1865, be returned by the Governor to the House in which it originated, for further consideration.

Which,

On motion,

Was adopted.

H. J.—27

By Mr. Gregory of Warren,

House bill No. 169. A bill to legalize the acts of John Gregory, a Notary Public of Warren county, Indiana.

Which was read a first time, and,

On motion,

Referred to the Committee on the Judiciary.

Mr. Cox offered the following resolution :

*Resolved*, That the use of this Hall is hereby tendered to the friends of Temperance, for a Temperance meeting on Friday evening next.

Which,

On motion,

Was adopted.

By Mr. Stewart,

House bill No. 170. A bill to amend section 22 of an act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties, approved March 2d, 1855.

Which was read a first time, and,

On motion,

Referred to the Committee on Corporations.

Mr. Woods offered the following, as an amendment to the House bill No. 170 :

“ Amend by inserting in the proper place the word ‘petroleum,’ so as to provide safe storage for the same,”

And moved that it be referred, with the bill, to the Committee as instructions,

Which was agreed to.

Mr. Newcomb offered the following resolution :

*Resolved*, That L. S. Newell be granted the use of the Hall of this House on Wednesday evening of next week, for the purpose of delivering a Literary Lecture to the members of the Legislature and citizens.

Which,

On motion,

Was adopted.

The Speaker gave notice that carriages would be in readiness at the rear of the Capital, to convey the members to Camp Carrington.

Mr. Groves moved that when the House adjourn, it adjourn till 2 o'clock, P. M.

Which was agreed to.

On motion by Mr. Spencer,  
The House adjourned.

2 O'CLOCK, P. M.

The House met.

Mr. Boyd asked that the Committee on Claims be allowed leave or absence for two hours this afternoon.

Which was not agreed to.

Mr. Buskirk moved to suspend the special order, and take up Senate bill No. 3.

Which was agreed to.

Senate bill No. 3 was taken up, and the amendments reported by the Select Committee were read.

Mr. Kilgore moved to recommit the bill and amendments to the Committee, and have 300 copies printed, with the amendments.

The hour having arrived for the House to proceed to consider the special order for the day, the same was called for.

Mr. Church moved to suspend the special order.

Mr. Griffith moved to amend, by making Senate bill No. 3 the special order, as soon as the present special order was disposed of.

Which was agreed to.

The motion, as amended, was then agreed to.

#### SPECIAL ORDER FOR THE DAY.

The hour having arrived for the consideration of the special order

for the day, the House proceeded to consider the following resolutions, as reported by the majority of the Committee on Elections.

*Resolved*, That Ambrose D. Hamrick was duly elected as one of the Representatives of the State Legislature for Putnam county, Indiana, on the 10th day of October, A. D., 1864, and by virtue of such election is entitled to take his seat as such Representative in this House.

*Resolved*, That Samuel Colover, who now holds a seat in this House as one of the Representatives of Putnam county, Indiana, was not elected as such Representative, and is, therefore, not entitled to hold a seat in this House.

Mr. Coffroth called for the reading of the minority report.  
Which was ordered.

Mr. Spencer moved that when that when the House adjourn it meet again at 2 o'clock P. M. on to-morrow.  
Which was agreed to.

Mr. Spencer, moved that the House do now adjourn.  
Which was not agreed to.

Messrs. Beckett and Patterson, by unanimous consent were allowed to record their names in the negative of the vote on ratifying the amendments to the Constitution, as of yesterday.

Mr. Patterson moved that the House do now adjourn.  
Which was not agreed to.

Mr. Hoover moved the previous question.  
Which was seconded by the House.

The question being shall the main question be now put,  
It was so ordered.

The question being on the adoption of the resolutions as reported by the minority of said Committee.  
It was not agreed to.

Mr. Buskirk offered the following resolution :

*Resolved*, That the seat now occupied by Samuel Colover, as a Representative for Putnam County be, and the same is hereby declared vacant, and that the Speaker cause the Governor to be notified thereof.

On the adoption of which, Messrs. Buskirk and Lasselle demanded the ayes and noes.

Those who voted in the affirmative were:

Messrs. Beckett, Bird, Burton, Buskirk, Coffroth, Collins, Croan, Dunham, Glazebrook, Gregg, Hargrove, Harrison, Humphreys, Hunt, Lasselle, Lemon, Lee, Lopp, Miller of Clinton, Milroy, Osborn, Patterson, Perigo, Richardson, Roach, Sabin, Shoaf of Jay, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach and White—34.

Those who voted in the negative were:

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burnes, Burwell, Church, Cox, Crook, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Lane, Kilgore, Lockhart, Major, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Reece, Rhoads, Riford, Shuey, Sim, Stewart, Stivers, Stringer, Trusler, Upson, Welch, Whiteside, Willis, Woods, and Zeigler—51.

So the resolution was not agreed to.

The question then recurring on the adoption of the second and fourth resolutions, as reported by the majority of said Committee, Messrs. Buskirk and Dunham demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burnes, Church, Cox, Crook, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lane, Lockhart, Major, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Reese, Rhoads, Riford, Sabin, Shuey, Sim, Stewart, Stivers, Trusler, Upson, Welsh, Whiteside, Willis, Woodruff, Woods, Wright and Zeigler—49.

Those who voted in the negative were,

Messrs. Beckett, Bird, Burton, Burwell, Buskirk, Coffroth, Collins, Croan, Dunham, Glazebrook, Gregg, Hargrove, Harrison, Humphreys, Hunt, Lasselle, Lee, Lemon, Lopp, Milroy, Osborn, Patterson, Perigo, Richardson, Roach, Shoaf of Jay, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach and White—32.

So the resolutions were adopted.

Mr. Newcomb moved that Mr. Colover be allowed his per diem and mileage up to include to-morrow.

Which was agreed to.

On motion by Mr. Patterson,  
The House adjourned.

2 O'CLOCK, P. M.

The House met.

On motion by Mr. Branham,  
The reading of the journal was dispensed with.

The Speaker asked and obtained leave to record his vote in favor of the second and fourth resolutions, as reported by the majority of the Committee on Elections, in the case of Hamrick vs. Colover.

Mr. Hamrick, member from the county of Putnam, came forward, was by the Speaker sworn, took his seat and entered upon the discharge of his duties.

#### SPECIAL ORDER FOR THE DAY.

Senate bill No. 3, was taken up, together with the following amendments, reported by the Committee on the Judiciary, also, the amendment reported by the minority of the Special Committee to whom said bill was referred.

The Judiciary Committee to whom was referred Senate bill No. 3, entitled "a bill to legalize the issuing of bonds, and making of appropriations and the levy and assessment for taxes in certain cases," respectfully report back said bill, with the following amendments, to-wit: Insert after the word "issued" in the fourth line of section 1st, the following words: "by or under the authority of" and to further amend said section by striking out the word "township." And to amend the 2d section of same bill, by adding thereto the following:

*"Provided*, that in all cases where one or more townships of a county had relieved the township of any given draft without any appropriation in aid thereof from the county, and any debt which have been credited by the action of the County Commissioners to pay counties to relieve the residue of the townships from such draft, the taxes hereafter levied for payment of principal or interest of such indebtedness, shall be levied only on the property and polls liable to taxation in the townships for whose benefit such debt or debts incurred and the townships which have so filled their quotas before such indebtedness was created, shall be exempted from such taxation: *And Provided further*, That the provisions of this act shall not be construed to cover or include debts contracted by individuals to relieve themselves from any draft that has heretofore taken place, nor shall

the same be construed to authorize the assumption or payment of such debts by any county town or city; but the provisions of this act are intended to apply to the action of counties, towns and cities, who have acted through their legally constituted authorities and have issued their orders, bonds, or other evidences, to raise money to pay bounties to volunteers or drafted men who have entered the military service."

And when so amended the Committee recommend the passage of the bill.

The amendment proposed by the minority of the Special Committee.

"*Provided*, That townships which have not been subject to a draft or call for troops, at the present and last preceeding call, shall not be exempt from the payment of any tax, to carry out the provisions of this bill."

The pending question being on the motion made by Mr. Kilgore, to re-commit the bill and pending amendments to a Select Committee of five, and that 300 copies ordered to be printed.

Mr. Thatcher moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?  
Which was agreed to.

The question being on re-committing, Messrs. Wright and Thatcher demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Burnes, Collins, Cook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Groves, Hamrick, Henricks, Hershey, Higgins, Hoover, Humphreys, Kilgore, Lane, Major, Meredith, Miller of Clinton, Montgomery, McVey, Reese, Rhoads, Richardson, Sim, Stringer, Upson, Welch, Woodruff, Woods and Wright—32.

Those who voted in the negative were,

Messrs. Banta, Beckett, Bonner, Boyd, Branham, Burton, Burwell, Buskirk, Church, Coffroth, Cox, Croan, Crook, Gregg, Griffith, Hargrove, Harrison, Hogate, Hunt, James, Johnson, Lasselle, Lee, Lemon, Lopp, Milroy, Newcomb, O'Brien, Osborn, Patterson, Perigo, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Spencer, Stewart,



Stenger, Stivers, Thatcher, Trusler, Veach, White, Willis, Zeigler and Mr. Speaker.—48.

So the motion to recommit did not prevail.

The question being on the amendment, as reported by the minority of the Special Committee,

Mr. Rhoads moved to postpone the further consideration thereof till Saturday next, at 9 o'clock, A. M.,

Which was agreed to.

The question then recurring on the amendment offered by the minority of the Committee,

It was agreed to.

The question then being on the amendments, as reported by the Judiciary Committee,

Mr. Buskirk called for a division of the question.

Which was ordered.

The question being on agreeing to the first proviso of the third amendment,

Messrs. Miller, of Tippecanoe, and Buskirk, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burnes, Church, Cook, Crock, Emerson, Goodman, Gregg, Gregory of Montgomery, Hamrick, Hershey, Higgins, Hogate, Hoover, James, Johnson, Lane, Lockhart, Major, Meredith, Miller of Tippecanoe, McVey, Newcomb, Reese, Rhoads, Riford, Shuey, Steward, Stringer, Welch, White, Willis, Woodruff, Woods, Wright and Zeigler—41.

Those who voted in the negative were,

Messrs. Beckett, Bird, Burwell, Buskirk, Coffroth, Collins, Cox, Croan, Ferris, Foulke, Griffith, Groves, Hargrove, Harrison, Henricks, Humphreys, Hunt, Lasselle, Lee, Lemon, Lopp, Miller of Clinton, Milroy, Montgomery, O'Brien, Osborn, Patterson, Perigo, Richardson, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Sim, Spencer, Stenger, Stives, Thatcher, Trusler, Upson, Veach, Whiteside and Mr. Speaker—43.

So the first proviso was not agreed to.



The question recurring on the second proviso of third amendment,

Mr. Rhoads moved to indefinitely postpone the further considerations of the bill and pending amendments.

Messrs. Wright and Burnes demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Burnes, Burton, Collins, Ferris, Goodman, Gregory of Montgomery, Hamrick, Hershey, Humphreys, Miller of Clinton, Miller of Tippecanoe, Reese, Rhoads, Richardson, Stringer, Welch, Woodruff, Woods and Wright—18.

Those who voted in the negative were,

Messrs. Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Branham, Burwell, Buskirk Church, Coffroth, Cook, Cox, Croan, Crook, Emerson, Foulke, Gregg, Griffith, Hargrove, Harrison, Henricks, Higgins, Hogate, Hoover, Hunt, James, Johnson, Lane, Lasselle, Lee, Lemon, Lockhart, Lopp, Major, Meredith, Milroy, Montgomery, Newcomb, O'Brien, Osborn, Patterson, Perigo, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stenger, Stivers, Thatcher, Trusler, Upson, Veach, White, Whiteside, Willis, Zeigler and Mr. Speaker.—63.

So the motion to indefinitely postpone, did not prevail.

Mr. Miller, of Tippecanoe, offered the following amendment to the amendment:

*Provided*, That any person who has paid money to raise volunteers to relieve the township in which he may reside, from the draft, for which said bonds or orders have been issued by the Commissioners of said county, shall be entitled to a credit on his or her taxes to the extent of the amount of his or her taxes, by making satisfactory proof of the paying of said money for said purpose.

Mr. Coffroth moved to lay the amendment on the table.

Messrs. Miller, of Tippecanoe, and Griffith demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Bonner, Burwell, Burton, Buskirk, Church, Coffroth, Collins, Crook, Griffith, Hargrove, Harrison, Hogate, Hoover, Humphreys, Hunt, Johnson, Lasselle, Lee, Lemon, Lockhart, Lopp, Miller of Clinton, Montgomery, Newcomb, O'Brien, Osborn, Patter-

son, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stenger, Stivers, Thatcher, Trusler, Veach, Welch, White, Whiteside, Willis, Woods and Zeigler—46.

Those who voted in the negative were,

Messrs. Atkinson, Banta, Bird, Boyd, Branham, Burnes, Cook, Croan, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Hamrick, Henricks, Hershey, Higgins, James, Lane, Major, Meredith, Miller of Tippecanoe, Milroy, McVey, Perigo, Reese, Rhoads, Richardson, Riford, Stringer, Upson, Woodruff and Wright—33.

So the amendment was laid on the table.

Mr. Wright offered the following amendment to the amendment :

SEC. — That in no case shall the property of any soldier, who is or been in the service of the United States, either as a volunteer or has drafted man, their widows or children, nor of a person who has been drafted and furnished a substitute, be sold for the payment of any taxes authorized to be assessed and collected under this bill.

Mr. Whiteside moved to modify the amendment of Mr. Wright so that it shall read "that such person shall be credited on the tax duplicate for the amount of taxes for the purpose of relieving counties from the draft on account of services rendered in the field.

Which was accepted by Mr. Wright.

Mr. Buskirk then moved to lay the amendment of Mr. Wright on the table.

Messrs. Miller, of Tippecanoe, and Beckett demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Bonner, Burton, Burwell, Buskirk, Coffroth, Croan, Hargrove, Harrison, Humphreys, Hunt, Lemon, Miller of Clinton, Milroy, Osborn, Perigo, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Spencer, Stenger, Thatcher, Trusler, and Veach—26.

Those who voted in the negative were,

Messrs. Atkinson, Banta, Boyd, Branham, Burnes, Church, Collins, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Griffith, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lane, Lee, Lockhart,

Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Patterson, Reese, Rhoads, Richardson, Riford, Sim, Stewart, Stivers, Stringer, Upson, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—54.

So the amendment was not laid on the table.

Mr. Rhoads moved that when the House adjourn it be till to-morrow morning at 9 o'clock.

Which was agreed to.

Mr. Goodman moved that the House do now adjourn.

Which was not agreed to.

Mr. McVey offered the following resolution :

*Resolved*, That the use of this Hall be tendered to Mr. Sinclair on to-morrow evening, February 16, 1865, for the purpose of lecturing on the subject of "Immigration to this State from Foreign Countries."

Which was agreed to.

Mr. Hamrick was appointed to fill the vacancy on the Committee on Corporations.

Mr. Goodman was added to the Committee on the Southern State Prison.

The Speaker announced the following Committee on Petitions in regard to amending the Election Law offered February 15 :

Messrs. Dunham, Newcomb and Church.

On motion,  
The House adjourned.

THURSDAY MORNING, 9 o'clock, }  
February 16, 1865. }

The House met pursuant to adjournment.

On motion by Mr. Branham, the reading of the Journal was dispensed with.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. James,

Sundry petitions from citizens of Grant County, on the subject of Temperance.

Which,

On motion,

Was referred to the Committee on Temperance, without reading.

By Mr. Wright,

A petition from sundry citizens of Rush County, praying the enactment of a law by which a railroad may be constructed on the line of the Whitewater Valley Canal, not impairing the present hydraulic power thereof.

Which,

On motion,

Was laid on the table.

By Mr. Osborn,

A petition on the same subject.

Which was laid on the table.

By Mr. Burwell,

A memorial on the same subject.

Which was laid on the table.

By Mr. Shoaff of Jay,

A petition from sundry citizens of Rush County, on the same subject.

Which was laid on the table.

By Mr. Burnes,

A petition on the same subject.  
Which was laid on the table.

By Mr. Stewart,

A petition on the same subject.  
Which,  
On motion,  
Was laid on the table.

Mr. Zeigler obtained leave of absence on account of sickness.

By Mr. Hogate,

A petition from sundry citizens of Hancock County, Indiana, praying that the law granting license to retail spirituous and intoxicating liquors may be so amended as to require the applicant for license to procure the signatures of a majority of the voters.  
Which was referred to the Committee on Temperance.

By Mr. Lopp,

A petition from sundry citizens of Harrison County, praying that the General Assembly pass a bill providing for the payment of losses sustained on account of the rebel Morgan raid through this State in the summer of 1863.

Which was referred to the Committee on the Judiciary.

By Mr. Harrison,

A petition of the members, President and seventy of the Union Agricultural Society, (composed of the Counties of Johnson, Shelby, Bartholomew and Brown,) praying the Legislature to make an appropriation in accordance with the prayer of the State Board.

Which,

On motion,  
Was referred to the Committee on Agriculture.

By Mr. Banta,

A memorial of the Union Agricultural Society of the Counties of Johnson, Shelby, Bartholomew and Brown, on the subject of Agriculture.

Which,

On motion,  
Was referred to the Committee on Agriculture.

By Mr. Church,

A petition from sundry citizens of Porter County, praying that an act be passed fixing the standard of qualifications of practicing physicians and surgeons, and the conditions through which said qualifications may be made known and determined.

Which,

On motion,

Was referred to the Select Committee, hereafter appointed, on the same subject.

By Mr. Foulke,

A memorial of the Committee appointed by the Richmond Horticultural Association, praying the enactment of a law for the protection of small birds.

Which,

On motion,

Was referred to the Committee on Agriculture.

By Mr. McVey,

A petition from a Committee appointed by the State Board of Agriculture, praying the Legislature to provide by law for the printing of the Agricultural Reports for the years 1861, 1862, 1863, and 1864, and also for the printing of the Annual Reports of the said Board regularly thereafter.

Which,

On motion,

Was referred to the Committee on Agriculture.

By Mr. Boyd,

Sundry claims, which were referred to the Committee on Claims without reading.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Griffith, from the State Prison North, made the following report:

MR. SPEAKER:

The Committee on the State Prison North, in discharge of their duty, have visited said Prison, and made due examination of its management, condition, necessities and accounts.

Your Committee desire to bear testimony to the management and control thereof, and have no hesitation in saying that the present

Warden, Thomas Wood, Esq., evinces those qualities which are necessary to a proper and efficient control of those whom temptation and crime have placed outside of the pale of good society, and amidst the degrading circumstances of prison life. Energy, order, firmness and watchfulness upon his part, and those assisting him, demand from us this testimony in his behalf.

In view of the fact that it is necessary for proper government of an institution of this kind, that the Warden become conversant with the temper, habits and disposition of those committed to his keeping, your Committee deprecate the idea of frequent changes being made in the person of Warden, or that his fitness for said position be ever based upon political character.

The demoralized condition and unsettled state of society consequent upon the present unhappy struggle, which engages the National Government, to preserve and enforce its authority, will undoubtedly contribute to swell the ranks of crime, and increase the number of those subject to the pains and penalties of imprisonment, induces your Committee to earnestly ask that appropriations be made by the present Legislature to complete the Northern Prison, that it may thereby answer the purpose for which it was intended.

Without such appropriations the purpose can not be attained; your Committee representing that they have diligently investigated the matter, and come to a conclusion after mature deliberation.

We find from the last report of the Directors of said Institution, sustained by the report to the House in 1863, and confirmed by our own examination of the books and accounts of the Prison, that the indebtedness of the Prison, to March 10th, 1863, was, of principal, \$64,105.91, for which scrip has been issued, under the signatures of the Warden and Clerk, and countersigned by the Board of Control. All of this scrip has been due two years, and some of it nearly three.

The parties to whom it was issued, having sold articles at a very small advance upon cost, or furnished labor and materials, for which they are patiently awaiting recompense, justice and honor alike require that these parties should be paid principal and interest of their demand, and that the Representatives of Indiana should keep the honor of the State untarnished by making immediate provision therefor.

It is assumed by your Committee that the sum of seventy-three thousand dollars will cover the indebtedness, and redeem the scrip, principal and interest.

The Legislature, at its present session, with commendable alacrity, decided to pay interest upon claims preferred by parties residing outside of Indiana. Shall we be less careful of the interests of our own citizens?

Your Committee find that the indebtedness of the Prison from the 10th of March, 1863, until the 15th December, 1864, for which scrip has not been issued, amounts to \$13,510.88; and they ask that provision to pay this be made in the General Appropriation bill.

Your Committee also recommend that the following sums be appro-

priated, in accordance with the suggestions in the report of the Board of Control, and placed, also, in the General Appropriation bill:

For completing South Wing of Cell House.....	\$78,842 68
For completing the walls and towers.....	20,000 00
For completing offices for Directors and Clerk.....	4,000 00
For erecting and completing Hospital Building, Kitchen and Chapel.....	10,000 00
For completing and finishing Guard House.....	15,000 00
For subsistence for the Prison for years 1865 and 1866, including salaries of Warden, Deputy Warden, Guards, Directors, &c.....	30,000 00
	<hr/>
	\$157,842 68

So far as appropriations for completing the Prison may be asked for, they seem eminently proper.

There are no cells and the prisoners are all consequently confined in one room at night, in a continuous and adjacent row of beds, so that without great watchfulness during the whole time by the guards, concert of action for mutiny would be readily obtained.

Safety and proper subordination require that the cell house be completed. The stone foundation for the same is already built, and we should think, well and permanently. Let then the brick work necessary, be added thereto, to erect and complete the cell house. It was designed to be a prison. It will not be in its perfect sense, until these requirements are complied with.

Your Committee in view of the fact that David J. Gilver, former contractor, by borrowing money with which to prosecute his work, and paying bank interest thereon whilst so doing, and not receiving his pay from the State at the time he should have done so, has suffered pecuniary loss, and should be recompensed. They therefore recommend that there be allowed him in the Specific Appropriation bill, the sum of fifteen hundred dollars. This amount will not perhaps cover the loss sustained by him, but for the purpose of doing partial justice it is recommended.

This much for facts and figures.

We further recommend that the Warden be allowed the sum of two thousand dollars per annum, the use of the residence upon the prison grounds, and the necessary pasturage and garden land, but no other perquisites, and that the Deputy Warden be allowed the sum of one thousand dollars.

Your Committee have arrived at these conclusions carefully, upon due investigation and proper information, and that the General Assembly may see proper to concur therein and agreeably to the suggestions we make, relative to paying the indebtedness which has accrued prior to March 10th, 1863, they beg leave herewith to introduce the following bill.

All of which is respectfully submitted.



On motion by Mr. Coffroth,  
The report and bill were laid on the table.

Message from the Senate by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to return to the House, for your signature, Enrolled Joint Resolution No. 16, of the Senate. A Joint Resolution accepting and ratifying certain amendments to the Constitution of the United States, proposed by Congress to the Legislatures of the several States.

By unanimous consent, Mr. Goodman offered the following resolution:

WHEREAS, The people of the section of the State through which the Morgan raid passed, are becoming alarmed at the prospect of the Legislature failing to pass any law for their relief; therefore,

*Resolved*, That the Committee on the Judiciary to which was referred Mr. Prather's House bill No. 13, for the relief of persons suffering from the depredations of Morgan's men, be requested to report said bill (or some in lieu thereof) back to the House at an early day, that the House may take action thereon.

Which,

On motion,  
Was adopted.

Mr. Trussler from the Committee on Military affairs, made the following report:

MR. SPEAKER:

The military Committee to whom was referred House bill No. 167, respectfully report that they have had the same under consideration, and they have desired me to report the same back to the House with the recommendation that it do pass.

Which,

On motion,  
Was laid on the table.

Mr. Boyd, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee to whom was referred the claim of J. H. Ross, for H. J.—28.

coal furnished for the use of the Legislature, session of 1863, have had the same under consideration and beg leave to report that in their opinion the said Ross is entitled to the sum of four hundred and seventy dollars and forty cents, and ask that the same be placed in the specific appropriation bill for payment.

Which,

On motion,

Was referred to the Committee on Ways and Means.

Mr. Groves, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the Claim of C. A. Ferguson, for the sum of twenty-five dollars, for Clock furnished State Library, session of 1865, have had the same under consideration, and would recommend that it be allowed, and incorporated in the specific appropriation bill for payment.

Which,

On motion,

Was referred to the Committee on Ways and Means.

Mr. Emerson, Chairman of the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of John W. Frazier, for the sum of seventeen dollars and seventy-five cents, for repairing desks and drawers in this House, session of 1863, have had the same under consideration, and would recommend that the claim be allowed, and incorporated in the specific appropriation bill for payment.

Which was referred to the Committee on Ways and Means.

Mr. Veach, Chairman of the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of Munson and Johnson, for the sum of sixty-eight dollars and twenty-five cents, for furnishing stove-pipes, furnace, and grates, &c., for State House, session of 1865, have had the same under consideration, and would recommend that it be allowed, and placed in the specific appropriation bill for payment.

Which was referred to the Committee on Ways and Means.

The Speaker announced that he had signed Senate Joint Resolution, No. 16.

Mr. Henricks, Chairman of the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred the claim of E. S. Palmer, for the sum of forty-six dollars, for binding Lightfoot's and Larder's works for State Library, session 1865, have had the same under consideration, and would recommend that it be allowed, and incorporated in the specific appropriation bill for payment.

Which,

On motion,

Was referred to the Committee on Ways and Means.

Mr. Henricks, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred the claim of S. P. Mead, for \$76.25, for carrying a prisoner from Laporte to Jeffersonville State Prison, in June, 1861, which said prisoner the Warden at Jeffersonville refused to receive, for the reason that the law required him to be sent to the Northern State Prison, at Michigan City, have had the same under consideration, and have directed me to report the same back to the House, and recommend that it be laid upon the table, for the reason that the said Mead, who was then Sheriff of Laporte county, was bound to know the law in the case.

Mr. Higgins moved to refer the report to the Committee on Ways and Means, with instructions to insert in the specific appropriation bill, the amount of fees claimed by the Sheriff for transporting said prisoner.

Which was agreed to.

Mr. Henricks, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred the claim of E. P. Rawlings, for loss sustained by him in consequence of a fire in the Jeffersonville State Prison in June, 1856, to the amount of \$3,502.50. He being a joint partner with one Samuel H. Patterson in nine hundred dozen saddle trees, manufactured by them in said State Prison, and there stored for sale, and which were destroyed by said fire, have

had the same under consideration, and have directed me to report, that while they are satisfied the said Rawlings sustained a loss, to the full amount claimed by him, your committee can see no reason why the State should refund the loss sustained by said Rawlings, simply for the reason that the loss was sustained in the State Penitentiary. They, therefore, recommend that said claim be not allowed.

Mr. Coffroth moved the report and claim be referred to a Select Committee of three.

Which was not agreed to.

Mr. Coffroth moved to lay the report on the table.

Which was agreed to.

Mr. Boyd, Chairman of the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claims for the several sums and purposes named below, have had the same under consideration, and would recommend that they be allowed and incorporated in the Specific Appropriation bill for payment.

Oriental House, for the sum of twenty-five dollars and twenty-five cents, for the use of a room for the Committee on Claims, for the session of 1865.

Turner & Dickson, for the sum of three dollars, for patent rubber mops, session of 1865.

Munson & Johnson, for the sum of seventeen dollars and five cents, for water pails, tumbler and drainer, &c., session of 1865.

I. F. Ramsey, for the sum of ten dollars for table and desks for the use of House clerks, session of 1865.

Ely & Bruner, for the sum of fifty-eight dollars, for repairing dome in Hall of Representatives, session of 1865.

Which,

On motion,

Was referred to the Committee on Ways and Means.

Mr. Burnes, Chairman of the Committee on Rights and Privileges, made the following report:

MR. SPEAKER:

The Committee on Rights and Privileges, to whom was referred House bill No. 78, entitled "an act to provide for the sale of certain lands belonging to the State of Indiana, in the Counties of Jasper and Newton, and to give pre-emption to actual settlers thereon," have had the same under consideration, and direct me to report the same back, and recommend that all after the enacting clause be

stricken out and the following amendment be inserted in lieu of the original bill :

"That the lands belonging to the State of Indiana, in the Counties of Jasper and Newton, acquired by conveyance from Michael G. Bright, dated November 19, 1860, shall be offered for sale at public auction, by the Auditor and Treasurer of the Counties in which said lands may be situated, at the door of the Court House in said Counties, on a day to be fixed by said Auditor and Treasurer—not sooner than six, nor later than eight months after the passage of this act, for cash in hand.

"Sec. 2. It is hereby made the duty of the Auditor of State, within one month after the passage of this act, to make out and deliver to the Auditor of Jasper County a description of said land in Jasper County, and to the Auditor of Newton County a description of the said land in Newton County.

"Sec. 3. It shall be the duty of the Auditor and Treasurer of said Counties of Newton and Jasper to give notice of the time and place of said sale by publication in the Indiana State Journal and the weekly newspapers in said Counties, for four weeks successively before the day of sale.

"Sec. 4. It shall be the duty of the Auditor and Treasurer of said Counties to sell said land at public auction to the highest bidder, in forty-acre tracts, or as nearly so as the same can be, unless a less or greater quantity by fractional section, in which case a quantity representing the sixteenth part of a section shall be sold in a body, be the same more or less than forty acres, provided that said lands are not to be sold for less than one dollar and fifty cents per acre, at the first time said land is offered for sale.

"Sec. 5. When any of said lands shall have been sold at said public sales, and the purchase money therefor has been paid over to the Treasurer of the County in which the land is situated, and a receipt therefor presented to the Auditor of said County, it shall be the duty of the said Auditor to issue a certificate of purchase to the holder of said receipt showing that the purchase money has all been paid, and shall forthwith make out and forward to the Auditor of State a full return of all sales of said land. It shall be the duty of the Auditor of State, on the receipt of the return of sale and the presentation of said certificate, to make out and cause to be signed by the Governor of the State, and attested by the Secretary of State, a deed for all the lands contained in said certificate of purchase, and reported in said return of sales.

"Sec. 6. In all cases where any person prior to the passage of this act shall have settled and made permanent improvements on any of said lands, by the erection of a dwelling house, or breaking and fencing, or cultivating not less than ten acres, with the *bona fide* intention of becoming a permanent resident thereon, and shall make satisfactory proof before the Auditor and Treasurers of said counties in which

the lands are situated of such improvement and intention of residence, he or she shall be entitled to receive from the Auditor a certificate of pre-emption for not more one hundred and sixty acres, which shall be adjoining, as near as the same can be located by paying to the Auditor a fee of one cent per acre on the land so pre-empted, as a fee for said certificate, and such pre-emptioner at any time before the day fixed by the Auditor and Treasurer for the public sale of said lands, shall be entitled to enter such pre-empted land at private sale, at the rate of one dollar and fifty cents per acre, and shall pay the purchase money to the Treasurer, and receive a certificate of the county and deed for the Auditor of State, from the Auditor, in the same manner as lands sold at public sale; but in case said pre-emptioner shall fail to pay to the Treasurer of said county, before the day of sale, the full amount of one dollar and fifty cents per acre for the land pre-empted by him or her, then he or she shall forfeit all right to said pre-empted land, and the same shall be sold in the same manner as the land not pre-empted.

“Sec. 7. All lands which shall remain unsold after they have been once offered at public sale, shall be sold by the Auditor and Treasurer of the county in which said land may be situated, at private sale, for not less than one dollar and fifty cents per acre, and all lands remaining unsold for one year after they have been offered at public sale, may be sold by said officers at one dollar per acre, the purchase money to be paid and deeds obtained in like manner as at public sale. The Treasurer shall retain two per cent of all moneys received by him, as a compensation for himself and the Auditor, for their services, which shall be equally divided between them, and the balance shall be paid over to the Treasurer of State within thirty days after the receipt thereof.

“Sec. 9. That there is an emergency existing for the immediate taking effect of this act, it shall, therefore, be in force from and after its passage.”

Which was laid on the table.

Mr. Coffroth, from the Committee on Railroads, made the following majority report:

MR. SPEAKER:

The Committee on Railroads, to whom was re-committed House Bill No. 59, have had the same under consideration, and the majority of said Committee have instructed me to report the said bill back, and to recommend that section first be amended by adding to the conclusion thereof the following:

*“And provided further, That nothing in this act contained shall be*

held or construed to make or render the State liable for any debt, obligation or liability of any such canal company. *And provided further*, that any railroad company with which a company may construct as aforesaid shall, for the protection of the hydraulic power of the canal, maintain the embankments thereof, so far as such railroad company occupies such embankments. *And provided further*, That no such grant, lease or conveyance shall be made by any such canal company of such feeder dams and feeders, and right of way for water to run in such canal for hydraulic purposes as supply present leases of water power, nor of the real estate now leased to lessees of water power, but all of which shall be retained and controlled by the Canal Board of Directors. *And provided further*, That no such grant, lease or conveyance shall be made by any canal company, by which hydraulic power now in use shall be impaired, nor in any way impair the contracts now existing between the lessees of water power and such canal company.

And the Committee further recommend that said bill be further amended by adding thereto the following section, to-wit:

Section —. That if any Canal Company shall neglect or refuse to keep up the present hydraulic power thereof, the lessees of the same, or any portion of them, may organize a company or companies for the maintenance thereof, and for this purpose shall be invested with all the rights of the original company to control such Canal feeders and dams, or parts thereof, collect the water rents, make repairs, lease the said water power, and renew the present leases thereof: *Provided*, The said company or companies in no way interfere with the rights of way herein authorized, or the property of such railroad, and that when said bill is amended, they do recommend its passage.

J. R. COFFROTH,  
A. KILGORE,  
S. A. SHOAFF,  
L. S. WRIGHT,  
J. H. WILLIS.

Mr. Lockhart, Chairman of the Committee on Railroads, made the following minority report:

MR. SPEAKER:

The minority of the Committee on Railroads, to whom was referred House bill No. 59, have had the same under consideration, and beg leave to amend the report of the majority of said Committee by adding the following:

“In making sale of any of said Canals, or of the real and personal property of such Canal Company, by their respective Boards, the

same shall be sold only at the chief office of the Canal. And said Board shall give due notice of said sale for not less than sixty days, in some one of the newspapers of the cities of New York and Cincinnati, as well as in the several newspapers published in the counties in which such Canal is located; and in making sale of any of said Canals, the same shall be sold to the highest and best bidder, and the proceeds of said Canal applied to the liquidation of all debts arising by such Canals, *pro rata* on the same."

Mr. Lockhart moved to lay bill and pending amendments on the table, and three hundred copies be printed for the use of the House. Which was agreed to.

Mr. Buskirk, from the Committee on Corporations, made the following report:

MR. SPEAKER :

The Committee on Corporations, to whom was referred House bill No. 144, have had the same under consideration, and have directed me to report two amendments thereto, and when the same are adopted, they recommend the passage thereof:

Amend section three by adding thereto the following *proviso*: "*And provided further*, That such Corporation, when so formed and organized, shall, in suing and being sued, and in operating such railroad, be subject to the general laws of this State, not inconsistent with said charter and amendments."

Amend section five by adding after the word "State," in the 18th line, these words: "On the line of such road."

On motion,

The report was laid on the table.

Mr. Griffith moved to take from the table his report on State Prison North, and the accompanying bill.

Which was agreed to.

House bill No. 171. A bill making an appropriation to pay the indebtedness of State Prison North, which had accrued prior to the 11th day of March, A. D., 1863.

Which was read a first time and passed to a second reading.

The hour having arrived for the special order, namely: the consideration of Senate bill No. 3 and amendments; the same was taken up.

The question being on the adoption of the amendment offered by Mr. Wright.



Mr. Newcomb moved to refer the same to a Select Committee of five.

Mr. Newcomb moved the previous question.  
Which was seconded.

The question being shall the main question be now put?  
It was agreed to.

The question being, shall the amendment of Mr. Wright be referred to a Select Committee of five?  
It was agreed to.

On motion by Mr. Branham,

The House resolved itself into a Committee of the Whole, with House bill No. 160—"a bill to raise revenue for State purposes for the years one thousand eight hundred and sixty-five and one thousand eight hundred and sixty-six"—under consideration, with Mr. Higgins in the Chair.

After remaining in session for some time, the Committee arose, and made the following report, by its Chairman :

MR. SPEAKER :

The Committee of the Whole House to whom was referred House bill No. 160 have had the same under consideration, and direct me to report said bill back to the House, and recommend its passage.  
Which was laid on the table.

House bill No. 160 was taken up, and read a second time.

Mr. Branham moved to strike out the word "current" where it occurs in connection with the year 1866.  
Which was agreed to.

Mr. Branham moved that it be deemed expedient to suspend the constitutional rule, requiring the reading of bills on three several days, and that House bill No. 160 be read a third time now.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bird, Bonner, Boyd, Branham, Burnes, Burwell, Buskirk, Church, Coffroth, Collins, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Johnson, Kilgore, Lane, Lasselle, Lee, Lemon, Lockhart, Lopp, Major,

Merdith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Osborn, Patterson, Perigo, Reese, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Sim, Spencer, Stewart, Stenger, Stivers, Stringer, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—82.

None voting in the negative.

So it was deemed expedient to suspend the constitutional rule.

On motion by Mr. Branham,

The bill was considered engrossed, and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bird, Bonner, Boyd, Branham, Burnes, Burwell, Buskirk, Coffroth, Collins, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Johnson, Kilgore, Lane, Lasselle, Lee, Lemon, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Osborn, Patterson, Perigo, Reese, Rhoads, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stenger, Stivers, Stringer, Sullivan of Scott, Thatcher, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—81.

None voting in the negative.

The question being shall the title, as read, stand as the title of the bill?

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Miller, of Tippecanoe, moved that the House go into the Committee of the Whole House, and take up House bill No. 158.

Which was agreed to.

A bill to provide for the appraisement for taxation of the property of railroad companies within this State, and the duties of officers in

relation thereto, and repealing all laws in contravention thereof or inconsistent therewith,

The House then resolved itself into Committee of the Whole, for the consideration of said bill, with Mr. Griffith in the Chair.

After remaining in session some time, the Committee rose, and made the following report, by its Chairman.

MR. SPEAKER :

The Committee of the Whole House, to whom was referred House bill No. 158, have had the same under consideration, and direct me to return said bill back to the House, and recommend its passage.

House bill No. 158 was then read a second time.

Mr. Branham moved that it be deemed expedient to suspend the Constitutional rule, requiring bills to be read on three several days, and that House bill No. 158, be considered as engrossed, and read a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burnes, Church, Collins, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Johnson, Kilgore, Lane, Lasselle, Lem on, Lockhart, Lopp, Major, Meredith, Miller of Tippecanoe, Milroy, McVey, Newcomb, O'Brien, Osborn, Patterson, Perigo, Reece, Rhoads, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Steward, Stivers, Stringer, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—75.

None voting in the negative.

So it was deemed expedient to suspend the Constitutional rule, and said bill was considered as engrossed, and read a third time.

And the question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Beckett, Bonner, Boyd, Branham, Burnes, Burwell, Buskirk, Church, Cook, Cox, Croan, Crook, Ferris, Foulke,

Goodman, Gregg, Gregory of Montgomery, Griffith, Groves, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Johnson, Kilgore, Lane, Lemon, Lockhart, Lopp, Meredith, Miller of Tippecanoe, Milroy, McVey, Newcomb, O'Brien, Osborn, Patterson, Perigo, Reece, Rhoads, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Steward, Thatcher, Trusler, Upson, Veach, Welch, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—69.

Those who voted in the negative were,

Messrs. Bird, Coffroth, Emerson, Stivers, Sullivan of Scott and White—6.

The question being, shall the title as read stand as the title of the bill?

Mr. Buskirk moved to suspend the further consideration of the title to said bill.

Which was agreed to.

Mr. Henricks, by unanimous consent, offered the following resolution:

*Resolved*, That the regular session of this House shall commence at 9 o'clock, A. M., and 2 o'clock, P. M., until otherwise ordered.

Which was agreed to.

Mr. Woods, from the Committee on Mileage, made the following report:

MR. SPEAKER:

The Committee on Mileage and Accounts, have directed me to report, the mileage of Mr. Burwell at 156 miles, and that of Mr. Lee at 132 miles, both distances being calculated one way.

Which was concurred in.

Mr. Griffith, from a Select Committee, made the following report:

MR. SPEAKER:

The Select Committee, to whom was referred House bill No. 4, entitled "an act fixing the per diem and mileage of Senators and Representatives of the General Assembly, providing officers therefor, and fixing the compensation thereof, and repealing all laws inconsistent therewith," with pending amendments, have duly considered

the same, and have directed me to report it back to the House, with the following amendment, viz :

To strike out all after the enacting clause, and insert the following :

Sec. 1. That the pay of Senators and Representatives to the General Assembly shall be five dollars a day while in actual attendance upon, or absent from by leave, or unable from sickness, to attend upon the sessions of their respective houses, and twelve cents for every mile they may travel from their places of residence to the seat of government, and back, by the ordinary traveled route.

Sec. 2. Each House of the General Assembly shall elect, by *viva voce* vote, the following officers : The Senate one Principal Secretary, one Journal Secretary, and one Principal and one Assistant Doorkeeper; and the House one Principal Clerk, one Journal Clerk, one Principal Doorkeeper, and one Assistant Doorkeeper.

Sec. 3. The elective officers of the Senate and House shall appoint such assistants as may be necessary, and may be sanctioned by their respective houses, except pages, who shall be appointed by the President of the Senate and Speaker of the House—not to exceed five in the Senate and seven in the House—all of whom shall receive such compensation as may be provided by their respective houses at each session.

Sec. 4. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Sec. 5. Whereas, an emergency exists for the passage of this act, the same shall be in force from and after the expiration of the present session of the Legislature. And, when so amended, they respectfully recommend its passage.

Which was laid on the table.

Mr. Trusler obtained leave and introduced

House bill No. 172. A bill to fix the time of holding the Circuit Court in the Fourth Judicial Circuit, composed of the Counties of Decatur, Shelby, Rush, Fayette, Franklin, Union and Dearborn.

Which,

On motion,

Was referred to the members from the Fourth Judicial Circuit, a Special Committee of three.

Unanimous consent was given Mr. Bird to make the following report :

MR. SPEAKER:

The Committee to whom was referred House bill No. 71. ("A bill for the relief of Ann Vizord,") have had the same under consideration, and have directed me to report the same back to the House, and respectfully recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Hogate moved that Mr. Hamrick be added to the Committee on Agriculture.

Which was agreed to.

Mr. Church moved that House bill No. 83 be recommitted to the Committee on Corporations.

Which was agreed to.

On motion by Mr. Goodman,  
The House adjourned.

2 O'CLOCK, P. M.

The House met.

The question pending on adjournment being, shall the title as reported by the Clerk stand as the title of House bill No. 158?

Which was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

#### SPECIAL ORDER FOR THE DAY.

House bill No. 94. A bill for the organization and regulation of the militia of the State of Indiana, dividing the same into active militia of reserve, prescribing penalties for violations of said regulations, providing for the election and appointment of officers, defining the duties of military and civil officers in relation thereto, and providing courts martial and military encampments, and instructions in military tactics, making regulations for supporting said militia, repealing all laws heretofore enacted on that subject, saving certain

acts therein named, and declaring an emergency for the immediate taking effect thereof.

Was taken up, and read a second time.

The amendments as reported by the Committee on Military Affairs, were read and agreed to.

After which the following amendments were offered:

Mr. Woods, moved to strike out the word "white" in the first section of the bill.

Which was not agreed to.

Mr. Higgins, moved to strike out "the sum of five cents for each name so enrolled," in fourth line of third section.

Which was agreed to.

Mr. Buskirk, moved to strike out the fourth section.

Which was agreed to.

Mr. Collins, moved to strike out the sixth section.

Which was agreed to.

Mr. Laselle, moved to amend section five in line second by inserting "not exceeding one hundred dollars."

Which was agreed to.

Mr. Burwell, moved to amend 7th section, in fourth line so as to read, "to be fined in a sum not exceeding one hundred dollars, to which may be added imprisonment."

Mr. Miller, of Tippecanoe, moved to amend the amendment by striking out the "first clause of the proposed amendment."

Which was agreed to.

Mr. Newcomb, moved to strike out "one hundred dollars" and insert "not less than twenty-five dollars nor more than three hundred dollars."

Which was agreed to.

The question then recurring on the amendment of Mr. Burwell as amended.

It was agreed to.

Mr. Rhoads, moved to insert after the word "dereliction" in second line of section five, the following: "shall be guilty of a misdemeanor."

Which was agreed to.

Mr. Newcomb, moved to re-commit the bill and pending amendments, to the Committee on Military affairs.

Which was agreed to.

Mr. Johnson offered the following resolution :

*Resolved*, That the State Librarian be authorized to furnish Messrs. Lane and Hamrick, members of this House from Putnam county, each a copy of Gavin and Hord's Statutes of Indiana.

Which,

On motion,

Was adopted.

Mr. Rhoads, moved to suspend the order of business, and take up House bill No. 119.

Which was agreed to.

Mr. Newcomb, moved that it be deemed expedient to suspend the Constitutional rule, requiring the reading of bills on three several days, and that the bill be read a second time now by its title.

Those who voted in the affirmative were,

Messrs. Atkinson, Beckett, Bonner, Boyd, Branham, Burwell, Collins, Church, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Johnson, Kilgore, Lane, Lasselle, Lemon, Major, Meredith, Miller of Tippecanoe, Montgomery, Newcomb, O'Brien, Osborn, Perigo, Reese, Rhoads, Richardson, Riford, Roach, Sabin, Shoaff of Jay, Shuey, Sim, Spencer, Steward, Stenger, Stivers, Stringer, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—71.

Those who voted in the negative were,

Messrs. Bird, Burnes, Lopp, Shoaff of Allen, Thatcher—5.

So it was deemed expedient to suspend the Constitutional rule, and House bill No. 119 was read a second time by its title.

Mr. Newcomb, moved that the bill be laid on the table, and that 300 copies be ordered to be printed.

Which was agreed to.

Mr. Emerson, moved to suspend the order of business, and take up House bills on third reading.



House bill No. 2. A bill relative to the Supreme Court, and providing compensation to the Judges thereof,

Was taken up, the amendment reported by the Committee was read as follows :

Amend by striking out the following words at the end of section 4, "on the days aforesaid," and insert in lieu thereof the following : "as in other cases."

And, on motion, the same was adopted.

The bill was then considered as engrossed, and read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were :

Messrs. Atkinson, Boyd, Branham, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Griffith, Groves, Hogate, James, Johnson, Kilgore, Lane, Meredith, Miller of Tippecanoe, McVey, Newcomb, Reece, Rhoads, Riford, Shuey, Sim, Steward, Stivers, Trusler, Upson, Welch, Willis, Wright and Mr. Speaker—36.

Those who voted in the negative were :

Messrs. Beckett, Bird, Bonner, Burnes, Burwell, Buskirk, Coffroth, Croan, Gregg, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hoover, Howard, Humphreys, Hunt, Lemon, Lopp, Major, Montgomery, O'Brien, Osborn, Perigo, Richardson, Roach, Shoaff of Allen, Shoaf of Jay, Spencer, Stenger, Stringer, Thatcher, Veach, White, Woodruff and Woods—38.

So the bill failed to pass.

House bill No. 10. A bill to amend a bill entitled, a bill to provide for the compensation of Township Assessors,

Was, on motion of Mr. Branham, considered as engrossed, and read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Boyd, Branham, Burnes, Burwell, Buskirk, Church, Coffroth, Cook, Cox, Croan, Crook, Emerson, Ferris,  
H. J.—29

Foulke, Gregg, Gregory of Montgomery, Griffith, Groves, Hamrick, Hargrove, Harrison, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Johnson, Lasselle, Major, Meredith, Miller of Tippecanoe, McVey, Newcomb, O'Brien, Osborn, Perigo, Reese, Rhoads, Richardson, Riford, Roach, Sabin, Shuey, Steward, Stenger, Stivers, Stringer, Sullivan of Scott, Thatcher, Upson, Veach, Welsh, White, Willis, Wright and Mr. Speaker—62.

Those who voted in the negative were,

Messrs. Goodman, Lemon, Montgomery, Shoaff of Jay, Spencer and Woodruff—6.

The question being, shall the title as read, stand as the title of the bill?

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

House bill No. 15. A bill authorizing Supervisors of roads to remove fences standing near public highways on streams and water courses, and to turn public roads and highways on water courses to the rear of buildings, where such buildings stand too near the stream, to give room for said roads or highways, and assess damages for losses occasioned thereby,

Was taken up, and, on motion, was considered and read a third time.

And the question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burnes, Burwell, Buskirk, Church, Coffroth, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Griffith, Groves, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hogate, Howard, Humphreys, Hunt, James, Johnson, Kilgore, Lane, Lasselle, Lemon, Lopp, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Osborn, Perigo, Reese, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Spencer, Sim, Stewart, Stenger, Stivers, Stringer, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Willis, Woodruff, Woods, Wright and Mr. Speaker—74.

None voting in the negative.

The question being, shall the title, as read, stand as the title of said bill?

It was agreed to.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Miller of Tippecanoe, moved that Mr. Hamrick be added to the Special Committee raised by order of the resolution offered by himself in reference to Mr. Lasselle.

Which was agreed to.

The Speaker announced the following Special Committee on House bill No. 172:

Messrs. Trusler, Osborn, Stewart, Harrison, Gregg and Bonner.

The Speaker announced the following Special Committee on Senate bill No. 3:

Messrs. Newcomb, Buskirk, Wright, Church and Henricks.

On motion by Mr. Spencer,

The House adjourned.

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FRIDAY MORNING, 9 o'clock, }  
February 17, 1865. }

The House met pursuant to adjournment.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Atkinson, Beckett, Bonner, Boyd, Branham, Burnes, Burton, Buskirk, Church, Coffroth, Collins, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Johnson, Kilgore, Lane, Lasselle, Lockhart, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, O'Brien,

Osborn, Patterson, Perigo, Reese, Rhoads, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Spencer, Stewart, Stenger, Stivers, Stringer, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, White, Whiteside, Willis, Woodruff. Woods, Wright and Mr. Speaker—76.

There being a quorum present, the further call was dispensed with.

On motion by Mr. Beckett,  
The reading of the Journal was dispensed with.

Leave of absence was granted to the Special Committee on Senate bill No. 3.

Mr. Burton was granted leave of absence on account of sickness.

#### SPECIAL ORDER FOR THE DAY.

The hour having arrived for the consideration of the special order for the day, the House proceeded to consider House bill No. 8—"a bill providing for the taxing of dogs, and for the payment of damage sustained in the maiming or killing of sheep by dogs, and providing penalties for the violation of any of the provisions of said act by officers and others; and also repealing an act "to license dogs," approved March 11th, 1861, and all other laws conflicting with the provisions of this act."

The amendments heretofore reported by the Special Committee on that subject, were read and adopted.

The bill was considered as engrossed, and read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Boyd, Branham, Burnes, Coffroth, Collins, Cook, Cox, Crook, Emerson, Ferris, Foulke, Gregg, Gregory of Montgomery, Griffith, Hamrick, Hargrove, Harrison, Hershey, Higgins, Hogate, Hoover, Howard, Johnson, Kilgore, Lane, Lasselle, Lockhart, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, McVey, Montgomery, O'Brien, Patterson, Perigo, Reese, Rhoads, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stringer, Stivers, Stenger, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, Whiteside, Willis, Woodruff, Woods and Mr. Speaker—64.

Those who voted in the negative were,

Messrs. Croan, Goodman, Humphreys, James, Lemon, Osborn, Richards, Richardson, Roach and White—10.

The Special Committee reported the following as an amendment to the title, which was read, to-wit :

Amend the title of the bill by adding to the 1st line of the title, after the word "and," "providing a fund." Strike out all of the title of the bill after the figures 1861, in 7th line, and insert "and providing that nothing in this act shall be so construed as to conflict with the provisions of an act entitled "an act for the protection of sheep," approved June 15th, 1852.

Which was agreed to.

The title, as amended, was then adopted.

So House bill No. 8 then passed.

*Ordered*, That the Clerk inform the Senate thereof.

Message from the Senate, by Mr. Whittlesey, their Secretary :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following concurrent resolution thereof, to-wit :

*Resolved by the Senate, (the House concurring,)* That a Committee of three on the part of the Senate, and a like number on the part of the House, be appointed to arrange for the commemorating by this General Assembly of the coming anniversary of Washington's Birthday.

In which the concurrence of the House is respectfully requested.

And I am further directed to say that the President of the Senate has appointed Senators Brown, of Wells, Beeson and Bennett said Committee on part of the Senate.

Leave of absence was granted Mr. Abbett, on account of sickness.

Mr. Woods, by unanimous consent, introduced

House bill No. 173. A bill to amend an act entitled "an act to encourage the destruction of wolves," approved June 7th, 1852.

Which was read a first time, and,

On motion,

Referred to the Committee on Agriculture.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Shoaff, of Allen,

A memorial from I. D. G. Nelson, President of Allen County Agricultural and Horticultural Society, in reference to the publication of the Reports of the State Board of Agriculture.

Which,

On motion,

Was referred to the Committee on Printing.

By Mr. Branham,

A petition of sundry citizens of Jefferson County, asking the Legislature to provide for payment of property taken during the Morgan raid.

Which,

On motion,

Was referred to the Committee on Claims.

By Mr. Hogate,

A petition from sundry citizens of Hendricks county, Indiana, praying for the publication by the State, for general distribution, the Reports of the State Board of Agriculture for the years 1861, 1862, 1863 and 1864.

Which was referred to the Committee on Agriculture.

By Mr. Lane,

A claim from Dr. M. J. Lynch, for one hundred and fifty dollars per month.

Which was referred to the Committee on Claims without reading.

By Mr. Veach,

A claim of Hogshire & Co.

Which was referred to the Committee on Claims, without reading.

By Mr. Hogate,

A claim of Case & Marsh, for \$1 00.

Which was referred to the Committee on Claims.

## REPORTS FROM STANDING COMMITTEES.

Mr. Willis, from the Committee on the Organization of Courts, made the following report:

MR. SPEAKER:

The Committee on the Organization of Courts, to whom was referred the petition of certain citizens of Cass county in reference to the change of courts made in said county at this session of the Legislature, have had the same under consideration, and direct me to report the following bill for their relief against the wrong complained of, and recommend its passage.

Which was laid on the table.

Mr. Boyd, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the following named claims for the several amounts and purposes, have had the same under consideration, and would recommend that they be allowed, and incorporated in the specific appropriation bill for payment:

James G. Douglass, for the sum of two hundred and forty-two dollars and eighty-five cents, for binding done for the State in 1862.

James Mahoney, for the sum of twenty-seven dollars and seventy-five cents, for gas fixtures furnished for the State House in 1862.

A. Wilson, for the sum of one thousand and seventy one dollars and fifty-five cents, for paper furnished the Secretary of State in 1863.

J. S. Walker, for two dollars and five cents, for lumber for State House in 1863.

Speigel, Thoms & Co., for the sum of seventy-five cents for chairs for use of the Legislature, session of 1863.

On motion,

The report was referred to the Committee on Ways and Means, with instructions to incorporate said sums in the specific appropriation bill.

Mr. James offered the following resolution:

*Resolved by the House (the Senate concurring therein), That a Joint Committee consisting of three members of the Committee on Corporations of the House, and three members from the Committee on Corporations of the Senate, be appointed, and that all bills to amend the general law providing for the incorporation of cities, be referred to said Joint Committee, with instructions to inquire into the expediency of enacting a new law to take the place of the act of 1857, and embodying all amendments to be subsequently made to said act,*

and all amendments which, in the judgment of said Committee, ought to be made thereto.

Which was adopted.

Mr. Kilgore introduced

House bill No. 174. A bill for the protection of fish in the rivers, streams, lakes and ponds within the State of Indiana, except the Ohio river and Lake Michigan.

Which was read a first time, and,

On motion,

Referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

Mr. Coffroth moved to make House bill No. 58, the special order for the day at 2 o'clock this afternoon.

Which was agreed to.

By Mr. Miller,

House bill No. 175. A bill supplemental to an act to fix the times of holding the Circuit Courts in the Eleventh Judicial Circuit.

Which was read a first time.

Mr. Miller, of Tippecanoe, moved that it be deemed expedient to suspend the Constitutional rule, requiring bills to be read on three several days, and read said bill a second time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Boyd, Branham, Burnes, Cook, Cox, Croan, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Griffith, Groves, Hamrick, Hershey, Higgins, Hogate, Lane, Laselle, Lemon, Major, Meredith, Miller of Tippecanoe, O'Brien, Osborn, Patterson, Rhoads, Riford, Sim, Stenger, Stivers, Stringer, Upson, Veach, Welch, Whiteside, Willis, Woodruff, Wright and Mr. Speaker—42.

Those who voted in the negative were,

Messrs. Bird, Bonner, Buskirk, Coffroth, Collins, Crook, Hargrove, Harrison, Hoover, Howard, Humphreys, Hunt, Kilgore, Lockhart, Miller of Clinton, Milroy, Montgomery, Reece, Richards Richardson, Roach, Sabin, Shoaff of Jay, Shuey, Spencer, Stewart, Sullivan of Scott, Thatcher, Trusler and White—31.



So it was not deemed expedient to suspend said Constitutional rule.

Mr. Coffroth moved to refer the bill to a Select Committee, composed of members from the Eleventh Judicial Circuit.

Which was agreed to.

Mr. Branham, by unanimous consent, introduced House bill No. 176. A bill making general appropriations for the years 1865 and 1866.

Which was read a first time.

Mr. Branham moved that it be deemed expedient to suspend the Constitutional rule, requiring bills to be read on three several days, and read said bill a second time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burnes, Church, Cook, Cox, Croan, Crook, Emerson, Foulke, Goodman, Gregory of Montgomery, Griffith, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, James, Johnson, Lane, Lockhart, Major, Meredith, Montgomery, McVey, Newcomb, Reece, Rhoads, Richardson, Riford, Sabin, Steward, Stivers, Stringer, Upson, Veach, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—47.

Those who voted in the negative were,

Messrs. Beckett, Bird, Burwell, Buskirk, Coffroth, Collins, Gregg, Hargrove, Harrison, Howard, Humphreys, Hunt, Lasselle, Lemon, Osborn, Patterson, Perigo, Richards, Roach, Shoaff of Allen, Spencer, Thatcher and White—25.

So it was not deemed expedient to suspend the Constitutional rule.

Said bill passed to a second reading on to-morrow.

Mr. Thatcher introduced,

House bill No. 177. A bill to amend section 143 of an act entitled an act, amendatory of an act to provide for the publication of delinquents, approved May 31st, 1861.

Which was read a first time, and,

On motion,

Referred to the Committee on Printing.

Mr. Meredith moved to suspend the order of business and take up House bills on third reading.

Which was agreed to.

## HOUSE BILLS ON THIRD READING.

House bill No. 4. A bill fixing the per diem and mileage of Senators and Representatives of the General Assembly, providing officers therefor, and fixing the compensation thereof, and repealing all laws inconsistent therewith, was taken up.

The amendments as reported by the Committee were read.

The question being on agreeing to said amendments.

Mr. Meredith, moved the previous question.  
Which was seconded by the House.

The question being, shall the main question be now put?

There not being a quorum voting,

A call of the House was ordered.

When the following members answered to their names.

Messrs. Bird, Boyd, Branham, Burnes, Buskirk, Church, Coffroth, Collins, Cook, Cox, Croan, Crook, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, Johnson, Kilgore, Lane, Lasselle, Lemon, Lockhart, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Patterson, Perigo, Reese, Rhoads, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stenger, Stivers, Stringer, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woods and Wright—71.

Mr. Coffroth moved that absentees be sent for.

On motion by Mr. Branham,  
The further call was dispensed with.

The question being on agreeing to the amendments as reported by the Committee,  
It was agreed to.

The question being, shall said bill be considered as engrossed and read a third time?

It was agreed to.

So House bill No. 4 was read a third time, and the question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bird, Boyd, Buskirk, Church, Cook, Crook, Gregg, Griffith, Groves, Harrison, Howard, Humphreys, Lasselle, Meredith, Miller of Clinton, Miller of Tippecanoe, McVey, Newcomb, Osborn, Reese, Rhoads, Stenger, Stivers, Upson, Veach, Welch, Whiteside and Willis—28.

Those who voted in the negative were,

Messrs. Atkinson, Beckett, Bonner, Branham, Burnes, Coffroth, Collins, Cox, Croan, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Johnson, Kilgore, Lane, Lemon, Lockhart, Major, Montgomery, O'Brien, Patterson, Perigo, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stringer, Sullivan of Scott, Thatcher, Trusler, White, Woodruff, Woods, Wright and Mr. Speaker—51.

So the bill did not pass.

Mr. Henricks moved to reconsider the vote whereby House bill No. 4 was lost, and to lay the motion to reconsider on the table.

Messrs. Buskirk and Griffith demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Beckett, Bird, Bonner, Branham, Cox, Croan, Emerson, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Hamrick, Henricks, Hershey, Hoover, James, Johnson, Lane, Lockhart, Major, Montgomery, Riford, Sabin, Shoaff of Jay, Stringer, Thatcher, Willis, Woodruff, Woods, Wright and Mr. Speaker—32.

Those who voted in the negative were,

Messrs. Boyd, Burnes, Buskirk, Church, Collins, Cook, Crook, Ferris, Gregg, Griffith, Groves, Hargrove, Harrison, Hogate, Howard, Humphreys, Hunt, Kilgore, Lasselle, Lemon, Meredith, Miller of Clinton, Miller of Tippecanoe, McVey, Newcomb, Osborn, Perigo, Reese, Rhoads, Richards, Richardson, Roach, Shuey, Sim, Spencer, Stewart, Stenger, Stivers, Sullivan of Scott, Trusler, Upson, Veach, Welch, White and Whiteside—46.

So the motion to reconsider was not laid on the table.

The question then recurring on the motion to reconsider the vote whereby said bill failed to pass,

Messrs. Henricks and Lockhart demanded the ayes and noes :

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Buskirk, Church, Collins, Cook, Crook, Gregg, Gregory of Warren, Griffith, Groves, Harrison, Howard, Humphreys, Kilgore, Lasselle, Lemon, Miller of Tippecanoe, Newcomb, O'Brien, Osborn, Reese, Rhoads, Shuey, Sim, Spencer, Steward, Stenger, Stivers, Sullivan of Scott, Trasler, Upson, Veach, Welch and Whiteside—36.

Those who voted in the negative were,

Messrs. Beckett, Bonner, Boyd, Branham, Burnes, Coffroth, Croan, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Lane, Lockhart, Major Montgomery, Patterson, Perigo, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Jay, Stringer, Thatcher, White, Willis, Woodruff, Woods and Wright—41.

So the motion to reconsider did not prevail.

Mr. Buskirk, from the Select Committee, to whom was referred Senate bill No. 3, made the following report :

MR. SPEAKER :

The Select Committee, to whom was referred Senate bill No. 3, with the pending amendments, have had the same under consideration, and have directed me to report the same back, and recommend that said bill be stricken out from its enacting clause, and that the accompanying amendments be inserted in the place thereof.

The majority of the Committee have also directed me to recommend, that the amendment offered by Mr. Wright, of Jefferson, and the amendment thereto offered by Mr. Whiteside, of the counties of Wabash and Kosciusko, with reference to the property of soldiers, be laid on the table, and give the following reasons therefor.

The first section of article 10 of the Constitution, reads as follows :

“The General Assembly shall provide by law for a uniform and equal rate of *assessment* and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of *all property both real and personal*, excepting such only for municipal, educational, literary, scientific, religious or charitable purposes, as may be specially exempted by law.”

This section is broad and comprehensible ; under it all assessment

and taxation must be uniform and equal, and there must be a just valuation for taxation of all property both real and personal. The General Assembly may exempt from assessment and taxation property for the purposes specified in said section, but there is no rule of construction by which the exemption of soldiers can be included within the provisions of said section.

The Supreme Court of Ohio, in speaking of a similar clause in the Constitution of that State, says: "But the very express exemption excludes the idea that any other or further exemption can be made."

The same Court say: "Taxing by a uniform rule requires uniformity not only in the rate of taxation, but also uniformity in the mode of assessment upon the taxable valuation. Uniformity in taxing implies equality in the burden of taxation; and this equality of burden cannot exist without uniformity in the mode of assessment as well as in the rate of taxation. But this is not all; the uniformity must be co-extensive with the territory to which it applies. If a State tax, it must be uniform over the State; if a county, town or city tax, it must be uniform throughout the extent of the territory to which it is applicable. But the uniformity in the rule required by the Constitution does not stop here. It must be extended to *all property* subject to taxation; so that all property may be taxed alike, equally, which is taxing by a uniform rule. (3 *Ohio State*, p. 7).

The Supreme Court of Wisconsin, in speaking of a similar provision in the Constitution of that State, say: "A city or county is not the State, and if it contracts a debt, that is not a State debt. But when either exercised the taxing power, it is acting for the State, as taxation is an attribute of sovereignty. Where, therefore, the Constitution requires the rule of taxation to be uniform, I think it extends to all taxation by the State, whether acting directly, or by delegating its authority to political corporations. The object of this provision was to protect the citizens against unequal and consequently unjust taxation; and this object would already be defeated by the State, by delegating the power, placing its agents beyond the restriction of the rule."

The Supreme Court of Indiana, in the case of the State vs. Hamilton, (5 Ind., p. 310) says, in speaking of the section of our Constitution above quoted: "Nor would a construction of the existing tax law by such a rule of assessment of railroad companies as is contended for by the defendant render said law accordant with the spirit, at any rate, of the section of the Constitution quoted, in another particular, which is, that the rate of assessment and taxation must be equal and uniform, for that law expressly taxes all the property of individual manufacturing and mercantile companies, whether paid or not. If, then, as the Constitution declares, taxation is to be equal and uniform, corporations cannot be exempted by law

from the same rule of taxation to which individuals are subjected. Nor shall they be. The protection of the government is extended alike to all within its jurisdiction, corporations included, and its burdens shall fall with equal weight, as far as practicable, upon all within the same limits. We are told in argument that railroads greatly benefit the public. We admit it, and so do the men who go into forests and open new farms, and erect upon them good improvements. But whether, for this reason, can be favored especially by the taxing power of this State.

The Committee concede that in many instances it will work great hardship to tax the property of soldiers, and regret that the General Assembly does not possess the power to make the exemption, and no doubt is entertained that every member of this Legislature, and the great mass of the people of the State would gladly and promptly relieve our brave and patriotic soldiers from the burdens of taxation, if the same could be done in accordance with the Constitution.

The Committee cannot better answer the plea of necessity and hardship than by quoting from a decision of the Supreme Court of Minnesota as to the constitutionality of a law of that State designed to aid in putting down the rebellion, which is in these words :

“ If the or State governmental officers were always peaceful and quiet, and legislation never attended with undue excitement, many of the restrictions imposed by constitutional government upon legislative power might be dispensed with as unnecessary ; but it is precisely because emergencies will arise which, for the time, seem to demand or justify a resort to radical and extreme measures, that these various inhibitions are declared in the fundamental law ; and as extraordinary acts of legislation are seldom resorted to, except when the public exigencies seem to demand them, it may truly be said that these provisions are inserted in constitutions for the very purpose of meeting this plea of necessity.”

Hence, the greater the seeming necessity or popular demand for such legislation, the greater the danger to be apprehended from yielding to it, and the more imperative the obligation on the part of the courts to square it vigorously by the construction, as no act in conflict with that enactment can ever become a law, however just, abstractly considered, its provisions may be ; or, however great and immediate the apparent necessity for such an enactment, still the very fact that the act was passed under such a state of excitement, admonishes us of the necessity of carefully examining its several provisions, lest in our anxiety to punish the guilty authors and abettors of our National troubles, we do far greater injury to ourselves by forgetting justice and disregarding the wholesome restraints of our fundamental law.”

The Committee has not had the time or opportunity to hunt up and produce the decisions of other courts, but the Committee is well satisfied that the same rule of decision has been adopted in nearly all the States. The question is too plain and undoubted to admit of argument in opposition to the position assumed by the Committee.

This part of the report is concurred in by all the members of the Committee except the gentleman from Jefferson.

That all bonds or orders heretofore issued, or appropriations made by or under the authority of the Boards of Commissioners of the several counties of this State, and the incorporated cities and towns thereof, for the purpose of procuring or furnishing volunteers and drafted men for the army and navy of the United States, or for maintaining the families of volunteers, soldiers, substitutes, or drafted men, or otherwise to aid the Government in suppressing the rebellion, be, and the same are hereby ratified, affirmed and legalized.

Sec. 2. That any levy and assessment for taxes, made by any incorporated city or town, or Board of County Commissioners of any county of this State, to procure means to pay any appropriation by them made, or bonds or orders issued for the purposes in the foregoing section enumerated, be, and the same are hereby, legalized: *Provided*, That the Board of Commissioners of such counties, and the municipal authorities of cities and towns, as may have issued bonds or orders, or made appropriations for the purposes enumerated in the first section of this act, be, and they are hereby, required to levy and collect a tax sufficient to pay at least one-third of the amount of such bonds, orders and appropriations in each of the years 1865, 1866 and 1867; which said taxes shall be levied and collected as other county taxes are levied and collected; and when so collected, shall be applied to the payment of such bonds, orders and appropriations, in equal proportion to the amount of such bonds, orders and appropriations; *Provided, further*, That the provisions of this act shall not be construed to cover or include debts contracted by individuals, to relieve themselves from any draft that has heretofore taken place; nor shall the same be construed to authorize the assumption or payment of such debts by any county, town or city; but the provisions of this act are intended to apply to the action of counties, towns and cities, who have acted through their legally constituted authorities, and have issued their bonds, orders, or other evidences of indebtedness, to raise money to pay bounties to volunteers and drafted men, who have entered the military service of the United States, or to maintain and support the families of volunteers, drafted men and substitutes. *And provided further*, That where such action shall become necessary or proper to carry into effect the intentions and purposes of this act, it shall be lawful for the Boards of Commissioners of any county, or municipal authorities of any incorporated town or city, which may have issued bonds and orders as aforesaid, to hereafter make such order or orders as may be necessary to confirm, ratify or legalize such bonds and orders, and make them valid and binding, as substituting debts against such county, town or city.

Sec. 3. After the quota of troops now due from this State, on the last call of the President of the United States for three hundred thousand men, is filled, it shall be unlawful for any Board of Commissioners of any county, or the municipal authorities of any city or town of the State, to make any appropriations from their respective treasuries, or to issue any bonds, orders, or other evidences of indebtedness, for the purpose of paying bounties to volunteers, drafted men or substitutes, who have, or may hereafter, enter the military service of the United States.

Sec. 5. Whereas, an emergency exists for the immediate taking effect of this act, therefore, the same shall take effect and be in force from and after the passage thereof.

Mr. Shoaff, of Jay, moved to take up the message from the Senate, with accompanying resolution, in reference to a proper observance of the 22d of February.

Which was agreed to.

Which were read and concurred in.

The Speaker announced the following, as the Committee on the part of the House :

Messrs. Newcomb, Gregg and Lane.

The Speaker announced the following Joint Special Committee on the part of the House, on Cities and Towns, as per Resolution of 16th instant :

Messrs. Hamrick, Buskirk and Foulke.

On motion,  
The House adjourned.

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2 o'clock, P. M.

The House met.

Mr. Meredith, by unanimous consent, moved that House bill No. 122, be taken up.

Which was agreed to.



House bill No. 122. A bill to amend sections six and ten of an act entitled, "an act to provide for and regulate the inspection of tobacco throughout the State of Indiana," approved February 12th, 1857, Was read a third time, and the question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Benner, Boyd, Branham, Burnes, Burwell, Buskirk, Church, Coffroth, Cook, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Groves, Hargrove, Harrison, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Johnson, Kilgore, Lemon, Lockhart, Meredith, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, G'Brien, Osborn, Patterson, Perigo, Reese, Rhoads, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Steward, Stenger, Stivers, Stringer, Sullivan of Scott, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Wright and Mr. Speaker—68.

Those who voted in the negative were,

Messrs. Bird and Collins—2.

So the bill passed.

The question being, shall the title as read stand as the title to the bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

#### SPECIAL ORDER FOR THE DAY.

House bill No. 59. A bill to authorize Railroad Companies to occupy and use for Railroad purposes, the property of Canal Companies, with their consent, and to secure them in such occupation and use, Was taken up.

Mr. Miller of Tippecanoe, moved to postpone the special order till 2 o'clock to-morrow.

Which was not agreed to.

Majority and minority reports, with amendments, were read.

The question being on agreeing to the amendments reported by the minority of said Committee,

H. J.—30

Mr. Sim moved to add to the end of the minority report, the following:

*Provided*, That the valid judgments and mortgage liens on such Canal, or any of the property contained in this act, shall be paid in the order of their priority.

Mr. Buskirk, moved to strike out the words *pro rata* in last line of section.

Which was accepted by Mr. Sim.

Mr. Coffroth offered the following amendment to the bill:

*And provided*, That the provisions of this act shall not apply to any lands now in the hands of Trustees and which has been taken or is in any way held as security for the public debt.

Mr. Coffroth moved the previous question.  
Which was seconded by the House.

The question being, shall the main question be now put?  
It was so ordered.

The question then being on the amendment offered by Mr. Sim.  
It was not agreed to.

The question then being on the adoption of the amendments offered by the minority of the committee.

Messrs. Miller, of Tippecanoe, and Lockhart, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Banta, Gregory of Warren, Groves, Hershey, Hoover, Lockhart, Miller of Tippecanoe, McVey, Newcomb, Riford, Sabin, Sim, Steward, Trusler and Woodruff—15.

Those who voted in the negative were,

Messrs. Atkinson, Bird Bonner, Boyd, Branham, Burnes, Burwell, Church, Coffroth, Collins, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregg, Griffith, Hamrick, Hargrove, Harrison, Higgins, Hogate, Howard, Humphreys, Hunt, Kilgore, Lane, Lemon, Meredith, Miller of Clinton, Montgomery, O'Brien, Osborn, Patterson, Perigo, Reece, Rhoads, Richardson, Richards, Roach, Shoaff of Jay, Shoaff of Allen, Spencer, Stenger, Stivers, Stringer, Sullivan of Scott,

Thatcher, Upson, Veach, Welch, White, Whiteside, Willis, Woods, Wright and Mr. Speaker—60.

So the amendments were not agreed to.

The question recurring on the amendment offered by Mr. Coffroth. It was agreed to.

The question then recurring on the amendments reported by the majority of the Committee on Railroads.

Which were agreed to.

Mr. Higgins, by unanimous consent, moved to add after the word "authorize" in eleventh line of first section, these words: "or to suffer."

Which was agreed to.

On motion,

The bill was considered as engrossed and House bill No. 59, was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Beckett, Bonner, Boyd, Branham, Burnes, Burwell, Buskirk, Church, Coffroth, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Higgins, Hogate, Howard, Humphreys, Hunt, Kilgore, Lane, Lasselle, Lemon, Meredith, Miller of Clinton, Montgomery, Newcomb, O'Brien, Osborn, Patterson, Perigo, Reese, Rhoads, Richards, Richardson, Riford, Roach, Shoaff of Jay, Shuey, Spencer, Steward, Stenger, Stivers, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—66.

Those who voted in the negative were,

Messrs. Banta, Bird, Collins, Hershey, Hoover, Lockhart, Miller of Tippecanoe, McVey, Sabin, Shoaff of Allen, Sim and Stringer—12.

Mr. Coffroth offered the following amendment to the title:

"And, for the protection of the hydraulic powers of each canal, and to authorize the lessees of the water privileges in said canal to authorize a company or companies for the maintenance thereof, in case of the failure of said canal company to maintain the same."

Which was agreed to.

The title as amended was adopted.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Rhoads moved to take from the table House bill No. 178.  
Which was agreed to.

A bill (No. 178) to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith.

Mr. Rhoads moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read on three several days, and read said bill by its title.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Branham, Burnes, Buskirk, Church, Coffroth, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Hershey, Higgins, Hogate, Howard, Humphreys, Hunt, Lane, Lemon, Lockhart, Meredith, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Patterson, Perigo, Reese, Rhoads, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stenger, Stringer, Sullivan of Scott, Thatcher, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods and Mr. Speaker—70.

None voting in the negative.

So it was deemed expedient to suspend the constitutional rule, and said bill was read a first time by its title.

Mr. Rhoads moved to make said bill the special order for the day for Wednesday morning next, at 10 o'clock.

Which was agreed to.

Mr. Higgins moved that when the House adjourn it adjourn till 2 o'clock, P. M., of Monday next.

Which was agreed to.

Mr. Branham moved to take up House bill No. 89.

Which was agreed to.

House bill No. 89. A bill to allow cities and towns to permit the

location of railroads on the streets and alleys for the purpose of conveying coal into and through said cities and towns.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Beckett, Bird, Bonner, Boyd, Branham, Burnes, Church, Coffroth, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Warren, Groves, Hamrick, Harrison, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, Kilgore, Lane, Lee, Lemon, Lockhart, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Osborn, Perigo, Reese, Rhoads, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stewart, Stenger, Stringer, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—70.

None voting in the negative.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

Leave of absence was granted Mr. James, on account of sickness.

And also, to the Committee on State Prison South, from Monday night until Thursday morning next, at 9 o'clock.

Mr. Church moved that Senate bill No. 3, be made the special order for 2 o'clock, P. M., of Tuesday next.

Which was agreed to.

On motion, by Mr. Burnes,  
The House adjourned.

2 O'CLOCK, P. M.

The House met.

The Speaker ordered a call of the House, when the following members answered to their names :

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Boyd, Branham, Brown, Burnes, Chambers, Collins, Cox, Croan, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Higgins, Hogate, Hoover, Hunt, Kilgore, Lasselle, Lemon, Lockhart, Meredith, Miller of Clinton, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Reese, Richards, Richardson, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Spencer, Steward, Stivers, Stringer, Trusler, Upson, Veach, White, Welch, Woods, Wright and Mr. Speaker—62.

There being no quorum present,

Mr. Newcomb moved a call of the House, and that absentees be sent for.

Which was agreed to.

The Clerk then proceeded to call the roll, with the following result. Present,

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Boyd, Branham, Brown, Burnes, Chambers, Collins, Cox, Croan, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Higgins, Hogate, Hoover, Hunt, Kilgore, Lasselle, Lemon, Lockhart, Meredith, Miller of Clinton, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Reese, Richards, Richardson, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Spencer, Steward, Stivers, Stringer, Trusler, Upson, Veach, Welch, White, Woods, Wright and Mr. Speaker—62.

Hr. Brown moved to reconsider that part of Mr. Newcomb's motion relative to sending for absentees.

Which was agreed to.

Messrs. Major, Lopp and Stuckey, were excused from the further call of the House at this time, on account of sickness in their families.

On motion by Mr. Kilgore,

The further call of the House was dispensed with.

On motion by Mr. Brown,  
The House adjourned.

TUESDAY MORNING, 9 o'clock, }  
February 21st, 1865. }

The House met pursuant to adjournment.

The Speaker ordered a call of the House, when the following members answered to their names :

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Brown, Burnes, Burton, Chambers, Cox, Croan, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hogate, Hoover, Hunt, Kilgore, Lane, Lee, Lemon, Lockhart, Lopp, Meredith, Miller of Clinton, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Reese, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stivers, Stringer, Trusler, Upson, Veach, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—71.

On motion, the further call was dispensed with.

The Clerk proceeded to read the Journal, when

Mr. Trusler, by unanimous consent, was allowed to change his vote on the passage of House bill No. 59, from the affirmative to the negative. Also,

Mr. Atkinson was allowed the same privilege.

On motion by Mr. Newcomb,

The further reading of the Journal was dispensed with.

Mr. Brown, by unanimous consent, was allowed to record his vote against the passage of Senate Joint Resolution No. 16.

Mr. Rice, by unanimous consent, was allowed to record his vote in favor of the passage of Senate Joint Resolution No. 16.

#### PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. Gregory of Montgomery,

A petition from sundry citizens of Montgomery county, Indiana,

praying to have printed at the expense of the State, the Reports of the State Board of Agriculture for the years 1861, '62, '63 and '64.

Which was referred to the Committee on Agriculture.

Mr. Banta presented sundry claims, and moved their reference to the Committee on Claims, without reading.

Which was agreed to.

Mr. Hogate presented sundry claims, and moved their reference to the Committee on Claims, without reading.

Which was agreed to.

Mr. White presented the claim of Jas. R. Bracken, deceased, for three hundred dollars, for preparing a new Catalogue of the State Library.

Which,

On motion,

Was referred to the Committee on Claims.

By Mr. Atkinson,

A petition from sundry citizens of Benton county, praying for an amendment to the law, granting license to retail spirituous and intoxicating liquors.

Mr. Newcomb presented the claim of Thomas Cole for forty-one days services as Assistant Doorkeeper of the House of Representatives, during the session of 1863.

Which,

On motion,

Was referred to the Committee on Claims.

By Mr. Lopp,

A petition from sundry citizens of Harrison county, praying the enactment of a law providing for the payment of losses sustained during the "Morgan Raid."

Which,

On motion,

Was referred to the Committee on the Judiciary.

By Mr. Lane,

A petition from sundry citizens of Putnam county, Indiana, praying the laws be so amended that no license shall be granted to sell intoxicating liquors, unless the applicant for license shall have obtained the signatures to his petition of a majority of the officers and voters of the town or township where he desires to sell.

Which,

On motion,

Was referred to the Committee on Temperance.



By Mr. Foulke,

A petition in behalf of the officers and members of Richmond Lodge, No. 69, Independent Order of Good Templars, praying for the passage of a Temperance bill as will require the applicant for license to procure the names of at least one half of the legal voters in the Ward or Township in which he wishes to sell intoxicating drinks.

Which,

On motion,

Was referred to the Committee on Temperance.

By Mr. McVey,

A petition from sundry school officers of Vigo county, praying an amendment to the tax law for school purposes.

Which,

On motion,

Was referred to the Committee on Education.

By Mr. Lemon,

A petition from sundry citizens of Harrison county, praying the enactment of a law, providing for the payment of losses sustained during the "Morgan rebel raid," during the summer of 1863.

Which,

On motion,

Was referred to the Committee on the Judiciary.

By Mr. Wright,

A petition from sundry citizens of Jefferson county, asking the Legislature to provide for payment of property taken during the Morgan Raid.

Which was referred to the Committee on the Judiciary.

By Mr. Chambers,

A petition from sundry citizens of Henry county, on the subject of Temperance.

Which was referred to the Committee on Temperance.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Newcomb, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred House bill No.

20, entitled "a bill to amend the twenty-second section of an act defining misdemeanors, and prescribing punishment therefor," approved June 11th, 1852, respectfully report back said bill to the House and recommend that the amendment shall read as follows, to-wit:

Every person who shall be guilty of notorious lewdness, or shall in any public place, make any uncovered and indecent exposure of his or their person, upon conviction thereof, shall be fined in any sum not less than ten nor more than one hundred dollars, to which may be added imprisonment for any time, not exceeding three months."

And upon the adoption of said amendment, the Committee recommend the passage of the bill.

Which was laid on the table.

Mr. Newcomb, from the same Committee, made the following report:

MR. SPEAKER:

The Judiciary Committee to whom was referred House bill No. 44, entitled "an act to amend the seventy-sixth section of an act entitled an act defining misdemeanors, and prescribing punishment therefor," approved June 14th, 1852, report that the House has passed a bill from the Senate upon the same subject. Your Committee therefore report back House bill No. 44, and recommend that it be laid upon the table.

The report was concurred in, and the bill laid on the table.

Mr. Newcomb, from the same Committee, made the following report:

MR. SPEAKER:

The Judiciary Committee to whom was referred Senate bill No. 82, entitled "an act to authorize cities to prepare, execute, negotiate and sell bonds, to provide means to complete unfinished school buildings, and to pay debts contracted for the erection of school buildings, and to authorize the levy and collection of an additional special tax, to provide means for the payment of the interest and principal of such bonds, respectfully report back said bill to the House and recommend the following amendments, to-wit:

"After the word "debt" in line 13 of section 1, strike out all of the end of line 17, and insert "may on the passage of an ordinance by the Common Council of such city, issue the bonds of such city to an amount not."

And in lines 34 and 35 of said section, strike out the words "Trustee or Trustees" and insert the words "Common Council."

And in line 41 of said section strike, out the words "and not less" and insert "provided that such bonds shall not be sold at a less price."

And in line 48 of said section, strike out the word "Trustees" and insert the words "Common Council."

And in line 59 of said section, strike out the words "the special school tax" and insert the words "as other taxes."

And upon the adoption of said amendments the Committee recommend the passage of said bill.

Which was laid on the table.

By Mr. Veach,

The claim of T. J. Johnson for amounts paid out, and time spent, in arresting and attending the trial of L. B. Calhoun, at Indianapolis, Indiana, in 1861, amounting to \$123 65.

Which was referred to the Committee on Claims.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee to whom was referred Senate bill No. 25, entitled "an act defining certain misdemeanors and prescribing punishment therefor," respectfully report said bill back to the House and recommend its passage.

Which was laid on the table.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee to whom was referred House bill No. 27, entitled, "an act to legalize the acknowledgements of all deeds, mortgages and other instruments required to be recorded, taken and certified by Notaries Public who took and certified such acknowledgements after the expiration of their commissions," respectfully report back said bill to the House and recommend its passage.

Which was laid on the table.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No. 70, entitled, "an act for the relief of any person, or plaintiff in execution, all officers to whom execution may be issued on any judgement and sureties in certain cases," respectfully report back said bill to the House and recommend its passage.

Which was laid on the table.

Mr. Newcomb, from the same Committee, made the following report:

MR. SPEAKER:

The Judiciary Committee to whom was referred Senate bill No. 4, entitled a bill to provide for the making and authentication of transcripts from the records of the Recorder's office in certain cases, and for the admissibility in evidence of the same, and certified copies of the deeds and mortgages contained therein, respectfully report back said bill, to the House and recommend its passage.

Which was laid on the table.

Mr. Newcomb, from the same committee, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No. 28, entitled an act to amend the 25th section of an act defining felonies and prescribing punishment therefor, approved June 10th, 1852, respectfully report back said bill to the House and recommend its passage.

Which was laid on the table.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No. 84, entitled "an act to amend section 2, of an act entitled an act prescribing the powers and duties of Justices of the Peace in stated prosecutions, approved May 29th, 1852, so as to authorize the service of a warrant throughout the State," respectfully report back said bill to the House and recommend its passage.

Which was laid on the table.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 141, entitled "a bill to give Circuit and Common Pleas Judges additional powers in civil and criminal cases in vacation," respectfully report back said bill to the House and recommend the following amendments:

To insert after the word "party," in the 14th line of section 1, the following words, to-wit: "reasonable notice having been given to the opposite party of the time and place at which said motion will be made, except that no notice for an application for an injunction or restraining order may be given where the same is not now required by law."

And the second section be stricken out, and the following inserted instead thereof:

"Sec. 2. The Judges before whom any such motion is made, shall make such order in regard to the costs of such motion as shall be right, and in every such case as aforesaid, all his orders shall be in writing, signed by him, and shall be filed and constitute a part of the record of the action;" and upon the adoption of said amendments, the committee recommend its passage.

Which was laid on the table.

Mr. Newcomb, from the Judiciary Committee, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No 34, entitled "an act to amend the eighteenth section of an act entitled an act regulating descents and the apportionment of estates," respectfully report back said bill to the House, and upon the adoption of the amendments by the Committee on Organization of Courts of Justice, the Committee recommended its passage

Which was laid on the table.

Mr. Newcomb, from the same Committee, made the following report:

MR. SPEAKER:

The Judiciary Committee to whom was referred House bill No. 18, entitled "an act to amend section second of an act entitled an act to require surviving partners to file inventories and appraisements in the office of the Clerk of the Court of Common Pleas, and to report the

liabilities of the firm," approved March, 5th, 1859, respectfully report back said bill to the House, and believing that such Legislation is unnecessary, recommend that said bill be laid upon the table.

Which was laid on the table.

Mr. Newcomb, from the same Committee, made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred Senate bill No. 16, entitled "a bill to amend section 349 of an act entitled an act to revise, simplify and abridge the rules, practice, pleading and forms in civil cases in the Courts of the State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18," 1862, respectfully report back said bill to the House, and recommend its passage.

Which was laid on the table.

Mr. Newcomb, from the same Committee, made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred Senate bill No. 115, entitled "an act to amend section 11 of an act concerning County Prisons," approved May 27th, 1852, respectfully report back said bill, and recommend its passage.

Which was laid on the table.

Mr. Newcomb, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred House joint resolution No. 15, in reference to the exchange of prisoners, respectfully report said resolution back to the House, and in their opinion, on account of the late action of the Government in reference to the subject, its passage is unnecessary ; therefore, the Committee recommend that said resolution be laid on the table.

Which,

On motion,

Was concurred in.

Mr. Newcomb, from the Committee on the Judiciary, made the following further report :

MR. SPEAKER:

The Judiciary Committee, to whom was referred bill No. 5, entitled "an act to legalize certain records of deeds, mortgages and other instruments recorded in the Recorder's office, of Clinton County," respectfully report that, the fact that the Recorder of Clinton County has spent his time in Washington during a session of Congress, and that he was an employee under the Doorkeeper of the House of Representatives, does not make him a non-resident of this State, as the Constitution declares that "no person shall be deemed to have lost his residence in the State by reason of his absence, either on business of this State or of the United States." Const. sec. 2, art. 4.

It does not appear from the preamble of the bill, that said Recorder has accepted any office under the United States, but if such were the fact, his acts as Recorder would be valid so long as he held and exercised the duties of the office in person, or by Deputy, as it is a well established rule of law, that the official proceedings of a *de facto* public officer are valid so far as the public are affected thereby. 14th Ind. page 82.

On motion by Mr. Newcomb.

The report and bill (House bill No. 5,) were indefinitely postponed.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bills thereof, to-wit:

Engrossed Senate bill No. 5. A bill to amend section 601 of the act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State—to abolish distinct forms of actions at law, and to provide for the administration of Justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18th, 1852.

Engrossed Senate bill No. 30. "An act to authorize, regulate and confirm the sale of rail roads, to enable the purchasers of the same to form corporations and to exercise corporate powers, and to define their rights, powers and privileges, to enable such corporations to purchase and construct connecting and branch roads, and to operate and maintain the same."

Engrossed Senate bill No. 34. "An act to authorize incorporated cities within this State to purchase and hold parks, fair grounds and

grounds for public uses, and to prescribe rules and regulations for the government, control and preservation of the same."

Engrossed Senate bill No. 50. A bill providing for the redemption of real estate or any interest therein, sold on execution, or order of sale, and providing for the issuing of certificates of purchase in such cases, and for the execution of conveyances, and repealing all laws in conflict therewith."

Engrossed Senate bill No. 52. An act defining the offence of bastardy, prescribing the punishment therefor, and declaring the power and duties of Justices of the Peace therein.

Engrossed Senate bill No. 31. An act relating to insurance on life for the benefit of widows and orphans.

Engrossed Senate bill No. 53. An act entitled "an act to allow County Commissioners to organize turnpike companies where three-fifths of the persons representing the real estate within prescribed limits, petition for the same, and to levy a tax for its construction, and provide for the same to be free.

Engrossed Senate bill No. 88. An act repealing the 2d section of an act approved March 3, 1853, entitled "an act providing for the colonization of free negroes, making appropriations therefor, and establishing a colonization agency."

Engrossed Senate bill No. 92. An act authorizing street or horse car railway companies to use State, County or Township roads, or other public highways, for their railway track, under certain conditions and regulations.

Engrossed Senate bill No. 110. An act entitled "an act to provide for the clothing and other personal expenses of the pupils of the Benevolent Institutions of the State, to provide for the manner of their removal to and from said Institutions in certain cases therein specified, and the manner of collecting the expenses therefor."

In all of which the concurrence of the House is respectfully requested.

Mr. Gregory of Warren, from the Committee on Education, made the following report:

MR. SPEAKER :

The Committee on Education, to whom was referred Joint Resolution No. 5, offered by Mr. Gregg of Dearborn county, asking the Congress of the United States to change the Agricultural grant to



the State of Indiana of certain lands, which have heretofore been granted to said State for the endowment of an Agricultural College, that the Legislature of said State might, if they saw proper, change the said grant for the founding and support of a home or homes in said State for disabled soldiers and seamen, or for the benefit of orphan children of soldiers and seamen of said State, who have died or may die in the service of the United States during the present war, in such manner as the General Assembly of said State may determine, beg leave to report that your Committee have had the same under consideration, and have duly considered that matter, and they have instructed me to report, that they deem the passage of the said Joint Resolution as inexpedient, for the reason that we conceive that the Congress of the United States had but one object in view at the time she made said grant of lands, and that was, that each State receiving the benefits derived from said grant, should endow and establish one or more Agricultural Colleges for the advancement of Agriculture, Mechanic Arts and Military Tactics, which are all of vital importance to the people of Indiana. Your Committee would further report, that they are not unfavorable to the United States or of the State of Indiana, doing all in their power for the support and maintenance of the disabled soldiers, and those who have been made orphans by this war, but your Committee are not disposed to recommend that the Congress shall make any change in this grant; all of which is submitted.

Which,

On motion,

Was laid on the table.

Mr. Hamrick was granted leave of absence to sit with the Committee on Agriculture.

Mr. Gregory of Warren, moved to reconsider the motion by which his report from the Committee on Education was laid on the table.

Which was agreed to.

On motion by Mr. Gregory of Warren,

The Report and Joint Resolution No. 5, were indefinitely postponed.

Mr. Boyd, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the following

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named claims, for various amounts and purposes, have had the same under consideration, and would recommend that they be allowed, and that the Committee of Ways and Means be instructed to incorporate an allowance for the same in the specific appropriation bill. The claims are as follows, to-wit:

Ruger & Caldwell, for the sum of fourteen dollars, for candles and brooms furnished for the Legislature in 1863.

Deloss Root, for the sum of thirty-two dollars and ninety-five cents, for stove and pipe for Supreme Court room, in 1862.

Thomas Dorsey, for the sum of five dollars, for services in purchasing wood for use of Legislature in 1863.

D. B. Hugell, for the sum of one hundred and forty dollars, for making abstract of books of Northern State Prison, for mileage and witness fees.

Indianapolis Gas Company, for the sum one thousand three hundred and sixty-one dollars and three cents, for gas at State House, from January 1st, 1863, to January 1st, 1865.

Hume & Adams, for the sum of four hundred and ninety-six dollars and thirty-five cents, for wall paper, borders, &c., for State House, furnished in 1865.

William Hinsley, for the sum of one hundred and eighty-two dollars for wood furnished for use of State House, in 1865.

Tutweiler & Sutton, for the sum of eighty-two dollars and fifty cents, for removing old plastering, for replastering, and patching walls of Hall and Senate chamber, in 1864.

Hume & Adams, for the sum of one hundred and twenty-eight dollars, and seventy-seven cents, for goods furnished Governor's house in 1863, 1864 and 1865.

J. H. Ross, for the sum of eight hundred and ninety-six dollars, for coal furnished for use at State House, in 1865.

Browning & Sloan, for the sum of one hundred and eighteen dollars, for glass furnished at State House, in 1864.

J. H. Jordan, for the sum of eight dollars and fifty cents, for advertising in Daily Gazette in 1863.

McLene & Herron, for the sum of ten dollars, for repairing clocks at State House, in 1865.

Tousey & Byram, for the sum of five dollars and seventy-three cents, for green baize, for use at House of Representatives in 1865.

Elijah Hackleman, for the sum of ten dollars, for expense of sending special messenger, with duplicate certificates of election of Governor, in 1865.

Bowen & Stewart, for the sum of two thousand one hundred and twenty-eight dollars and ninety-four cents, for stationery furnished for the use of the Legislature, session of 1865.

Which,

On motion,

Was referred to the Committee of Ways and Means, with instructions to incorporate the claims enumerated, in the specific appropriation bill.

Mr. Veach, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred the following named claims for the various sums and purposes, have had the same under consideration, and would recommend that they be allowed and incorporated in the Specific Appropriation bill for payment.

Phillip Warner for the sum of two dollars and seventy-five cents for brooms furnished for use of the Legislature in 1863.

Hogshire & Co., for the sum of twenty-eight dollars and thirty cents for sundry articles for the use of the Legislature in 1863.

James Griffin, for the sum of fifty-five dollars for labor in fitting up State House in 1863.

William Braden, for the sum of four hundred and ninety-five dollars and eighty cents for paper furnished the Secretary of State in 1863.

Laurey Kennedy, for the sum of twenty-eight dollars and fifty cents for labor in fitting up for Legislature in 1863.

James H. Hyatt, for the sum of seventy-five dollars for raising National flag on the dome of the Capitol in 1863.

Hawthorn, for the sum of thirteen dollars for water coolers for us of Legislature in 1863.

C. A. Werbridge, for the sum of seven dollars and thirty-two cents for sundry articles furnished for the use of the Legislature in 1863.

Ramsey & Hanning, for the sum of twenty-three dollars and eighty-five cents for gas tube fixtures &c., in 1863.

John C. Dunn, for the sum of twenty-one dollars and fifty-cents for gas pipe, labor &c., in 1863.

J. S. Walker, for the sum of seven dollars for lumber furnished in 1863.

A. M. Elkins, for the sum of twelve dollars for labor performed in fitting up for the Legislature in 1863.

Which,

On motion,

Was referred to the Committee on Ways and Means, with instructions to incorporate the claims enumerated in the Specific Appropriation bill.

Mr. Emerson, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims to whom was referred the following named claims, for the various sums and purposes herein named, have had the same under consideration and would recommend that they be allowed, and that the Committee on Ways and Means be instructed to incorporate an allowance for the same in the Specific Appropriation bill.

H. A. Fletcher & Co. for the sum of seven hundred and twenty-three dollars and forty-two cents for carpets, mattings &c., furnished for State House in 1863.

James Campbell, for the sum of three hundred and eighty-four dollars and sixty-seven cents for books furnished for use of State Prison, per order of Superintendent of Public Instruction, in 1861.

Which,

On motion,

Was referred to the Committee on Ways and Means, with instructions to incorporate the claims enumerated in the Specific Appropriation bill.

Mr. Groves, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred the following named Claims for the several sums and purposes, have had the same under consideration and would recommend that they be allowed and incorporated in the Specific Appropriation bill for payment.

John Lanahann, for the sum of eighty-three dollars for labor in fitting up State House in 1863.

Jacob Lindley, for the sum of four dollars for pitchers and tumblers furnished in 1859.

R. S. and A. W. McOuat, for the sum of twenty-four dollars and fifty-five cents for sundry articles furnished for the use of the Legislature in 1863.

Semmons & Co., for the sum of one dollar and twenty-five cents for thermometer for House of Representatives in 1863.

William Sheets, for the sum of eighty-six dollars and forty-five cents for sundry articles furnished for State Librarian in 1862.

J. McLene and Co., for the sum of two hundred and two dollars and eighty cents for paper furnished Secretary of State in 1863.

James Russell, for the sum of nine dollars for sawing and splitting wood for use at State House in 1863.

Latham B. Brown, for the sum of thirty dollars for labor done at State House in 1863.

J. B. Wilson, for the sum of twenty nine dollars and thirty cents for sundry articles furnished for use at State House in 1863.

Which, on motion, was referred to the Committee of Ways and Means, with instructions to incorporate the claims enumerated in the Specific appropriation bill.

Mr. Spencer, from the Committee on Agriculture, made the following report :

MR. SPEAKER :

I am directed by the Committee on Agriculture, to whom was referred Senate bill No. 61, "an act to amend section 4 of an act containing several provisions regulating landlords, tenants, lessors and lessees," approved May 20th, 1852, to say that they have had the

same under consideration and beg leave respectfully to report the same back to the House, and recommend its passage.

Which, on motion, was laid on the table.

Mr. Bonner, from the Committee on Agriculture, made the following report:

MR. SPEAKER :

The Committee on Agriculture, to whom was referred Senate bill No. 60, a bill to amend the 21st section of an act entitled "an act to authorize a company to construct the Aurora and Laughery Turnpike," approved February 15th, 1848, have had the same under consideration and have directed me to report the bill back to the House, and recommend its passage.

Which, on motion, was laid on the table.

Mr. Griffith, from a Select Committee, made the following report:

MR. SPEAKER:

The Select Committee to whom was referred sundry petitions from citizens of Indiana, asking the passage of a law regulating the practice of medicine in Indiana, having considered the same, beg leave to report as follows :

The subject is one of momentous import to the people themselves and not to the practitioners of medicine. There is no business in life which should be so free from unjust pretensions and impertinent assumption as that of the healing art, none in which its operatives should be so thorough and mankind so exacting.

The enlightened, humane, painstaking and energetic physician should stand in the very front rank of society, and should receive the cordial greeting of all who respect moral worth, intellectual culture, and true greatness; but the ignorant pretender, on the other hand, should be visited with the contumely of the world. Such names as Waller, Boerhare, Sydenham, Jenner, Watson, Rush, Abercrombie and John Mason Good come down to us as brilliant examples of devotion to that great art which has the interest of the world in its keeping.

The medical man who lives for usefulness, emulates those bright examples and hesitates to take the responsibilities of his profession without due preparation. But the heartless charlatan, whose chief purpose is gain, enters upon the arena surrounded by mystery and great pretension, and, upon the natural credulity of mankind, so operates as to take the same rank in the public view as the sincere student of science.

The people are themselves blameable for this state of things, and for the purpose of rescuing them from imposition the Legislature of Indiana should aid them to keep heartless pretenders, who strove

alone for lucre, from thrusting themselves between the blind and their sovereignty. The people, by the sad lessons of experience, do eventually become qualified to judge understandingly of those persons pretending to be disciples of Esculapius, but medical men from intercourse, are better judges of the professional qualifications of each other. If the medical man who has taken a proper view of his responsibilities has become impressed with the necessity of receiving courses of lectures and receiving his diploma as a proper professional passport to society, before he assumes the weighty position of a minister of life or death to the body, must be placed on the same level with the impostor who never has walked even in the shadow of a medical institution, and whose chief capital in trade is violent declamation against medical systems, built upon long experience and a strong array of truth, we respectfully ask should not the public mind be disabused of such fatuity and a higher standard of excellence placed before it in this as in every other business of life. We might assert here in the language of the poet,

"Ill fares the hand to hastening ills a prey,  
Where montebanks increase and Doctors learned decay."

Let the public mind be enlightened upon these points; raise higher the standard of medical literature and medical practice, prevent the montebank from standing on the same level as of public approval, as the man of medical education, and the people themselves will one day return their best regards for this interest taken in their affairs, without being disturbed as now, by the howl of monopoly coming from the brazen lungs of medical humbugs.

For such reasons which we think are of sufficient magnitude, your Committee ask leave to introduce the following bill, and respectfully recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Wright, from a Select Committee, made the following minority report:

MR. SPEAKER:

The undersigned being the minority of the Committee to whom was referred Engrossed Senate bill No. 3, differing from the judgment of the majority of the Committee, that it is not competent for the General Assembly under the Constitution, to provide that the service of soldiers in the field who are counted up in the present supply of quotas, equivalent to taxes put upon their property and charged as such, to help fill such quotas, respectfully report the following in addition to said bill.

SEC. —. It is hereby provided that in all cases of taxes assessed and charged to pay all such debts, as are named in this act on the property of persons who have been, or are now, in the naval, marine, or military service of the United States in the present war for suppressing the Southern rebellion, or their families or decendants, not including substitutes, or those who have not served one year, or those who receive bounties from counties to the amount of \$300 00 over the service of such person so being, or having been in the service, shall be deemed equal to such taxes and said taxes shall be satisfied and discharged on the order of the Board of Commissioners of the proper county, or in vacation of said Board, on the order of the County Auditor.

SEC. —. And in all cases where Counties have offered bounties to encourage volunteering, or persons who have volunteered or shall so volunteer, and who have not received such bounty, shall receive from the County Commissioners County Bonds for an amount equal to that awarded to others so volunteering.

Mr. Wright moved that the report and bill be referred to a Committee of the Whole House.

Which was agreed to.

Mr. Reese, from the Committee to whom was referred Senate bill No. 2, made the following report:

MR. SPEAKER:

The Committee, to whom was referred Senate bill No. 2, proposing an amendment to the eighth article of the Constitution of the State of Indiana, have had the same under consideration, and direct me to report the same back to the House, and recommend the passage thereof.

Which was laid on the table.

Mr. Reese, from a Select Committee, made the following report:

MR. SPEAKER:

The Committee, to whom was referred Senate Joint Resolution No. 3, proposing an amendment to the 23d section of article — of the Constitution of the State of Indiana, have had the same under consideration, and have directed me to report the same back to the House, and recommend the passage of the same.

Which was laid on the table.

Mr. Reese, from the Special Committee on Constitutional amendments, made the following majority report:



MR. SPEAKER :

The Special Committee on Constitutional amendments, to whom was referred the Joint Resolution No. 1, introduced by Mr. Meredith, proposing to amend the Constitution of the State, by striking out the 13th article thereof, have had the same under consideration, and a majority of said Committee have directed me to report said Resolution back to the House, with a recommendation that it do pass.

Which was laid on the table.

Mr. Harrison, from same Committee, made the following minority report :

MR. SPEAKER :

The undersigned, members of the Committee on Constitutional amendments, to whom was referred House Joint Resolution No. 1, to amend the Constitution of the State, by striking out the thirteenth article thereof, have had the same under consideration in Committee, and would respectfully report, as a minority of said Committee, that they deem the same inexpedient, and recommend that it lie on the table.

JAMES HARRISON,  
CHARLES B. LASSELLE.

Which was laid on the table.

Mr. Foulke offered the following resolution :

*Resolved*, That the Senate be requested to return House bill No. 59 to this House, for further consideration.

Mr. Shuey moved the previous question, which was seconded by the House.

The question being, shall the main question be now put?  
It was so ordered.

The question being on the adoption of said Resolution,

Messrs. Sim and Chambers demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Banta, Chambers, Cox, Emerson, Foulke, Glazebrook, Groves, Hogate, Hoover, Lee, Lemon, Lockhart, Lopp, McVey, Oileman, Rice, Sabin, Sim, Steward, Trusler and Willis—21.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Beckett, Bird, Bonner, Boyd, Brown,

Burnes, Burton, Church, Coffroth, Croan, Ferris, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Hargrove, Harrison, Henricks, Humphreys, Hunt, Kilgore, Lane, Lasselle, Meredith, Miller of Clinton, Montgomery, Newcomb, Osborn, Patterson, Perigo, Reese, Richards, Richardson, Riford, Roach, Shoaff of Allen, Shoaff of Jay, Shuey, Spencer, Stivers, Stringer, Upson, Veach, White, Whiteside, Woodruff, Woods and Wright—51.

So the resolution was not adopted.

Mr. Kilgore offered the following resolutions :

1. *Resolved by the House (the Senate concurring)*, That there shall be appointed a committee consisting of two members on the part of the House of Representatives, and one on the part of the Senate; to be denominated an Auditing Committee, whose duty it shall be to meet at Indianapolis Monthly, and examine and audit the accounts of the Commissary General, and Quartermaster General, and all other accounts, either for the pay of men or material of any kind, purchased and designed to be paid out of appropriations heretofore made, or which may hereafter be made, for military purposes, including payment of the Indiana Legion, and the Auditor of State shall be expressly prohibited from paying any claim of the description aforesaid, until such claim has been audited and certified by said Auditing Committee, or a majority of it.

2. *Resolved*, That said Committee shall make out a regular balance sheet each month, which, together with the proper vouchers, shall be carefully preserved. They shall have power to direct the proper forms to be used for accounts and vouchers, and require all to be made in accordance with such forms.

3. *Resolved*, That said Committee shall each receive the sum of five dollars per day for each day they may necessarily be employed in the discharge of their duties, when the Legislature is not in session, and five cents per mile for the distance traveled in going to and returning from their attendance upon such duties, the same to be paid out of the money appropriated for the payment of the legislative expenses of the present General Assembly, and that the Auditor is hereby directed to audit the accounts for the services of such Committee, upon the certificate of a majority of the Committee.

4. *Resolved*, That said Committee shall examine and determine all claims presented them for allowance without delay, and that said Committee shall only be entitled to receive pay for the time during which they shall have been actually employed.

5. *Resolved*, That a majority of said Committee shall constitute a quorum for business, but no allowance of such majority of any

claim or account shall be valid so as to authorize its payment unless such allowance be made by a number of said Committee equal to a majority of the whole.

6. *Resolved*, That said Committee shall only be authorized to sit so long as the duties herein imposed upon them may demand, and whenever said claims and accounts shall be fully examined and audited, said Committee shall be and is hereby discharged.

Which was concurred in.

#### BILLS INTRODUCED.

By Mr. Newcomb,

House bill No. 179. A bill to amend section first of an act entitled, "an act to incorporate the Trustees of the Indiana Female College," approved February 13, 1851.

Which was read a first time, and,

On motion,

Referred to the Committee on the Judiciary.

By Mr. Griffith,

House bill No. 180. A bill to regulate the practice of medicine and surgery and obstetrics within the State of Indiana, providing for a Board of Medical Censors in each county, and matters properly connected therewith.

Which was read a first time, and passed to a second reading.

By Mr. Shoaff, of Allen,

House bill No. 181. A bill to amend section 7 of an act entitled, "an act providing for the election of Clerks of the Circuit Court, and prescribing some of their duties," approved June 7, 1852.

Which was read a first time, and,

On motion,

Referred to a Select Committee of five.

By Mr. Shuey,

House bill No. 182. A bill regulating sales of real estate made by County Treasurers, for the non-payment of taxes, and to establish the validity of tax titles.

Which was read a first time, and,

On motion,

Referred to the Committee on the Judiciary.

By Mr. Gregory, of Warren,

House bill No. 183. A bill to encourage education by authorizing Trustees to levy taxes in certain cases, regulating the same, and declaring an emergency.

Which was read a first time, and,

On motion,

Referred to the Committee on the Judiciary.

By Mr. Atkinson,

House bill No. 184. A bill to amend an act regulating the fees of officers, and repealing former act in relation thereto.

Which was read a first time, and,

On motion,

Referred to the Committee on Fees and Salaries.

By Mr. Whiteside,

House bill No. 185. A bill to provide for the election of Directors of Corporations, and to prevent the dissolution and forfeiture of their franchise in certain cases.

Which was read a first time, and,

On motion,

Referred to the Committee on the Judiciary.

*Report of Auditing Committee, appointed at the session of the General Assembly of the State of Indiana, 1862 and '63.*

Said Committee was appointed in accordance with the provisions of a Joint Resolution, passed at the session of 1862 and '63, which provides, a Committee shall be appointed consisting of two members of the Senate and three of the House of Representatives, to be denominated an Auditing Committee, whose duty it shall be to meet at Indianapolis monthly, and examine and audit the accounts of the Commissary General, and Quartermaster General, and all other accounts, either for pay of men, or materials of any kind purchased and designed to be paid for out of appropriations heretofore made, or which shall hereafter be made for military purposes, including the pay of the Indiana Legion, and prohibiting the Auditor of State from paying any claims of any description whatever, except for Legislative expenses, until said claim shall have been audited and certified by the said Committee, or a majority thereof.

Paris C. Dunning, of Monroe county, and John C. New, of Marion county, were appointed on the part of the Senate; and Samuel H. Buskirk, of the county of Monroe, William E. Niblack, of the county of Knox, and Alfred Kilgore, of the county of Delaware, were appointed on the part of the House of Representatives.

On the 25th day of March, 1863, the Committee met in the city of Indianapolis, and organized by electing Paris C. Dunning, Chairman, and Jacob S. Broadwell, Clerk. Mr. Broadwell has continued to act as such Clerk until the present time, and it affords the Committee

great pleasure to bear testimony to the ability, fidelity, and integrity with which he has discharged the varied and arduous duties of his position.

The Committee procured and used the following books :

A Register of Claims filed, which is divided into appropriate columns, corresponding with the classification of claims. The number of the claim, the name of the claimant, the amount claimed, and the class to which it belongs, are entered.

A Register of Claims audited, which is the same as the Register of Claims filed, except the amount allowed is stated.

A Journal, in which is entered a brief statement of the character and amount of the claim, and the action of the Committee thereon ; showing whether the claim was rejected, allowed in whole or in part, or disallowed, and how each member voted on the claim. This Journal has been made up for each day, and signed by the Chairman, and attested by the Secretary. The members of the Committee agreed to sign claims that were passed by a majority of the Committee, although they may have voted in the negative, relying on the Journal to show the action of each member of the Committee. All claims were required to be presented in duplicate, and when audited, one of them was signed by the Committee and delivered to the claimant, on his signing a receipt therefor on the other copy, which was retained by the Committee.

The Committee required all claims belonging to the Commissary and Quartermaster's Departments to be filed with, examined and certified by General A. Stone before being examined and audited by the Committee. The Quartermaster General has kept an accurate account of all claims allowed, with the view of presenting them to the Federal Government for re-payment.

The same course was pursued in reference to claims coming from the Governor's and Adjutant General's office. Whenever a claim was filed that was not certified to by some department of the State government, and whenever any doubt existed as to the propriety of allowing a claim that was certified to, the Committee required strict proof, which was in all instances rendered in writing, and has been preserved, and is subject to the examination of all persons entitled thereto. The great and paramount object of the Committee has been to do justice to claimants, and to protect the State from imposition and fraud.

Over twenty-three hundred claims have been filed with and acted upon by the Committee. A number of the claims were rejected ; a large number were disallowed in whole, while a still larger number of them were allowed in part. The Committee has greatly reduced the amount claimed in a great many instances. The Committee has doubtless erred in many cases, with all the care it has exercised to prevent it. The Committee has not vanity enough to suppose that it could have passed upon so many claims, involving so many difficult questions of law, without having committed many mistakes and errors, and all the Committee asks is a careful and unprejudiced

examination of its action, and credit for honesty of purpose, and an earnest desire to do right to claimants and protect the interests of the State. This much it has a right to expect, and no doubt is entertained, that this generous confidence will be extended.

1. The claim of G. Simons & Son. This claim was presented to the former Military Auditing Committee, and was by it rejected. The Committee in its report to the late Legislature, in speaking of this claim, say :

“The Committee having been notified that a claim in favor of G. Simons & Son, for one thousand suits of clothes, amounting to \$8,750, for the 24th Regiment, Colonel Alvin P. Hovey, commanding, were not furnished according to contract, and there was evidently an intention to defraud in the quality of said clothing, after a careful examination, rejected the claim, and ordered the Clerk to endorse the foregoing, together with the decision of the Committee on the back of the same, which we now herewith present to the House, and ask its reference to the Committee on Claims.”

At the first meeting of this Committee, the Hon. T. A. Hendricks and the Hon. H. C. Newcomb, as attorneys for G. Simons & Son, filed this claim with the Committee. They also presented to the Committee the following communication from Messrs. Branham, Brett and Mellett, who composed the late Military Auditing Committee :

“The undersigned, who composed the late Military Auditing Committee, appointed under an act of the General Assembly of the State of Indiana, approved May 31, 1861, do hereby state that Gabriel Simons & Son, of Cincinnati, Ohio, presented to us while acting as such Auditing Committee, a claim of \$8,750, for clothing furnished to the 24th Regiment of Indiana Volunteers ; but, complaints having been made that said clothing was inferior to the quality required by the contract made by them with the State of Indiana, the said bill was disallowed and rejected by the Committee. Afterwards, the Colonel of the regiment caused a Council of Administration to be appointed, which Council made an appraisement of said clothing, which was certified to us, but was also disallowed, the Committee believing at the time that there had been a premeditated design on the part of said G. Simons & Son to defraud the soldiers and the State ; nor was any part of said claim allowed by said Committee.

“Although we have no longer any power to act in the matter as a Committee, we will say that, from facts that have since come to our knowledge, and a more thorough acquaintance with all the circumstances connected with the matter, that, in our opinion, Messrs. Simons & Son ought to be paid the full amount of the valuation

placed upon said clothing by the said Council of Administration, and we hereby recommend that they be paid said sum.

" M. L. BRETT,  
 " D. C. BRANHAM.  
 " J. H. MELLETT.

" *March 9th*, 1863."

The said Hendricks & Newcomb also presented the proceedings of a Council of Administration of the 24th Regiment Indiana Volunteers, which was in the words and figures as follows, namely :

" HEADQUARTERS 24TH REGIMENT IND. VOLS., }  
 " CAMP ALLEN, Mo., Sept. 10, 1861. }

" *Regimental Order No. 29.*

" Lieutenant-Colonel John Gerber, Major Cyrus C. Hines and Captain Thomas Johnson, are hereby appointed and announced as the Council of Administration for this regiment for the ensuing two months.

" By order of

" ALVIN P. HOVEY,

" *Col. Com'd'g. 24th Reg't. Ind. Vols.*

" R. F. BARTER, *Adjutant.*

" I hereby certify that the above is a true and complete copy of Regimental Order No. 29, of this regiment.

" R. F. BARTER,

" *Adjutant 24th Reg't. Ind. Vols.*

" At a meeting of the Council of Administration, called to act upon the matter of the clothing furnished to the enlisted men of the 24th Regiment of Indiana Volunteer Infantry, the following proceedings were had. The Captains of the several Companies presented reports as to the number of coats and pants, of the different qualities, furnished to their respective Companies, and of which reports the following consolidated report was made :

Kinds of Clothing.	1st Quality.	2d Quality.	3d Quality.	4th Quality.	CAPTAINS' NAMES.
Coats.....	20	50	28	.....	Capt. Bolton's Company.
Pants .....	11	63	26	.....	" " "
Coats.....	3	15	35	47	Capt. Mencks' Company.
Pants .....	3	30	49	20	" " "
Coats.....	6	42	46	4	Capt. Dill's Company.
Pants .....	.....	36	40	22	" " "
Coats.....	2	25	52	21	Capt. Johnson's Company
Pants .....	1	7	40	52	" " "
Coats.....	.....	34	36	28	Capt. McGiffin's Company
Pants .....	.....	34	36	28	" " "
Coats.....	5	49	44	.....	Capt. Connett's Company.
Pants .....	9	40	49	.....	" " "
Coats.....	.....	30	55	13	Capt. Irvin's Company.
Pants .....	.....	29	57	12	" " "
Coats.....	.....	25	48	25	Capt. Morgan's Company.
Pants .....	.....	25	48	25	" " "
Coats.....	11	29	34	24	Capt. Gill's Company.
Pants .....	11	29	34	24	" " "
Coats.....	.....	.....	30	68	Capt. Spicely's Company.
Pants .....	.....	.....	30	68	" " "
Cost of suit.	\$ 8 75	\$7 37½	\$5 90	\$5 00	
Total Pants.	35 00	293	407	251	
Total Coats.	47 00	299	408	230	
Total suits.	41	296	408	241	

41 suits, at \$8 75 each,	\$ 358 75
296 " " 7 37½ " .....	2,183 00
408 " " 5 90 " .....	2,407 20
241 " " 5 00 " .....	1,205 00
14 " " 8 75 " .....	122 50

\$6,276 45

" The Council then examined specimens of the four several qualities of uniforms furnished, and, from careful examination, have found, and do find, upon the basis of the sample of uniform shown to the regiment—the sample being of the first quality, and valued at the contract price of \$8 75 per suit,—that the different qualities are of the following values, per suit, of coats and pants :



First quality, per suit,.....	\$8 75
Second quality, per suit,.....	7 37½
Third quality, per suit,.....	5 90
Fourth quality, per suit,.....	5 00

"The Council do further find that the shirts furnished to the enlisted men of the regiment were of the value of seventy-five cents each; and that the socks furnished the regiment are of the fair average value of fifteen cents per pair, a large proportion being moth-eaten and worthless. In relation to the number of coats furnished to the regiment, the Council find that there are four less than charged to the regiment by the Quartermaster General of Indiana.

"JOHN GERBER, Lt.-Col. 24th Reg. I. V.

"CYRUS C. HAINES, Maj. " "

"THOMAS JOHNSON, Capt. " "

"Council of Administration."

There were the following indorsements and approvals on the claim as filed with the Committee:

"Received the above,

D. B. HUNT."

"Correct according to contract.

J. H. VAJEN, Q. M. General."

"The above goods have been received and inspected by me, and found equal to samples now in my office. The contract was made at public letting.

M. MURPHY, Ins'p Gen'l."

The Committee, in ordinary cases, would not have required any further evidence, but as the good faith of the claimants had been called in question, it determined to make a thorough and careful examination of all the facts and circumstances connected with the transaction. The Committee examined the following witnesses, namely: C. C. Hines, formerly Major of the 24th and a member of Council of Administration, but then Col. of 57th Ind. Vol.; Gen. J. H. Vajen, who was at the time the contract was made and the clothing delivered, Quartermaster General of the State; Col. Miles Murphy, who was at the time the goods were delivered, Inspector General of the State, and inspected the clothing in controversy; Major John Clemm, who was employed in the Q. M. Department when the clothing was delivered; John W. Blake, Col. of the 40th Reg. Ind Vol.; L. Noble, Adjutant General of the State, and who had seen and examined the clothing; Hon. D. C. Branham, Chairman of the late Military Auditing Committee; and B. Simons, a member of the firm of B. Simons & Son.

The testimony of these witnesses, was reduced to writing in the form of depositions, the witnesses being cross-examined by the attorneys for claimants. These depositions marked A, B, C, D, E, F, G and H, are herewith submitted as a part of this report. The claimants gave notice that they intended to take the depositions of certain witnesses in Cincinnati, Ohio. The Committee appointed the Hon. John C. New, a member of this Committee, to attend the taking of the depositions and to cross examine the witnesses, which duty he performed to the entire satisfaction of the other members of the Committee. The depositions of Isaac Levy, Max. Stadler, William Krauss and Casomer Banman, of Cincinnati, Ohio, were taken. These depositions, marked "I," "J," "K" and "L," are herewith filed and made a part of the report. The claimants also gave notice of their intention to take the depositions of certain witnesses in New York city, from whom they had purchased the cloth from which the clothing in controversy was made. The Committee deemed it inexpedient to incur the expense of sending some person to attend the taking of such depositions. The depositions of James J. Leavett, of the firm of Stanfield, Nentworthy & Co., and Nehemiah Knight, of the firm of Hoyt, Sprague & Co., were taken. These depositions marked M and N, are herewith filed and made a part of this report. The claimants also filed the affidavits of Henry Lenitter, Casinier Banman and Isaac Levy, which marked O, P and Q, are filed herewith. The claimants also filed the certificates of W. W. Northop, Chief Inspector of Ohio, and Miles Murphy, Chief Inspector of Indiana, which marked R and S, are filed herewith.

The Committee has neither the time or space to analyze the evidence of these various witnesses, as the testimony is very voluminous. The Committee is well satisfied that the evidence will fully sustain and justify its action in the premises. The Committee would have been justified, by the evidence, in allowing the entire claim, but it was unwilling to go behind the finding of the Council of Administration, as the officers and soldiers of the regiment, were presumed to be the best judges of the quality and value of the clothing. The Council of Administration fixed the value of the clothing at \$6,276.45. As the State should have paid that sum at that time, the Committee deemed it just and equitable to allow the claimant interest from the finding of the Council of Administration, to the time of auditing the claim. The Committee allowed seven thousand and twenty-nine dollars and sixty-two cents, (\$7,029 62.)

The question may be asked, why has this claim been singled out and commented upon at such length. The answer is, that the former Military Auditing Committee, not only rejected this claim, but charged the claimants with the deliberate purpose of defrauding the soldiers and the State. This Committee after a very careful and thorough investigation, was compelled, by the evidence, to yield its prejudice against it, and allow a portion of it. The Committee felt it was due to the General Assembly, and this Committee that it should state fully its action, and the evidence on which it based its decision. The

decision of this Committee casts no reflection on the former Committee. The action of that Committee was right, with the evidence before it, and as soon as its members became convinced that they had been in error, they promptly and magnanimously corrected their mistake, and did justice to the claimants.

## CLAIMS FOR THE EXPENSES OF OPERATING THE INDIANA ARSENAL.

When the Committee met and organized, it found in existence and in active operation the Indiana Arsenal, under the control and management of Col. H. Sturm, who had been commissioned and assigned to that duty by Governor Morton. The question was presented to the Committee whether it would examine and audit claims growing out of and connected with such Arsenal. A portion of the Committee were opposed to taking any jurisdiction of these claims, upon the ground that the Legislature of the State had not, in express terms, authorized the Governor to establish and operate the Arsenal. On the other hand, it was insisted that, an act passed at the extra session of 1861, conferred on the Governor full power and authority to manufacture arms and munitions of war. The act was in these words, namely :

“An act to provide for the defense of the State of Indiana, to procure first class arms, artillery, cavalry and infantry equipments, and munitions of war, making the necessary appropriations therefor, and authorizing the Governor to borrow money,” approved April 1st, 1861.

“SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That for the purpose of putting the State of Indiana in a condition of defense, and for supporting the government and maintaining the laws of the land, the Governor is hereby directed and authorized to procure immediately a supply of first class arms sufficient for twenty thousand men, including such as are now on hand and fit for service, and such as he may be able to procure from the Government, consisting of artillery, cavalry, and infantry equipments, and munitions of war, and that an agent or agents be sent immediately to procure the same.

“SEC. 2. That the sum of five hundred thousand dollars is hereby appropriated, for the purpose of procuring the said arms and munitions of war; and that the Governor be authorized to borrow money for that purpose, and to pledge the faith of the State for the payment thereof.

“SEC. 3. That an emergency exists, this act shall, therefore, be in force from and after its passage.”

It was claimed that, inasmuch as this act did not require the Governor to *purchase* arms and munitions of war, but only directed and

authorized him to procure immediately arms and munitions of war, and that inasmuch as it was at that time impossible to purchase munitions of war, the Governor was authorized to cause them to be manufactured.

It was also claimed that the Arsenal had been recognized and treated as an institution of the State, by both branches of the Legislature of 1862 and '63.

The following resolution was adopted by the Senate, and concurred in by the House, with only one vote in the negative, upon a call of the ayes and noes. And a Committee on the part of the House, consisting of Messrs. Harney, Puett, Tarkington, Spencer and Kilgore, was appointed to act in conjunction with the Senate Committee.

“WHEREAS, It is especially due to the people, while the burdens and sacrifices of a dire civil war are fearfully taxing their energies, that a rigid investigation should be made of the official conduct of their public servants, to whom the control of public moneys may have been intrusted; and

“WHEREAS, The people of the State of Indiana demand of the Legislature a faithful and fearless discharge of such duty, therefore,

“*Resolved*, That a Special Committee of five be appointed by the President of the Senate, to investigate the expenditures in the State Quartermaster's Department, the purchase of arms by the State, and the management of the State Arsenal; and that said Committee be authorized to send for persons and papers, and report the result of their investigations, in which the concurrence of the House is requested; and the President of the Senate has, on the part of the Senate, appointed as said Committee, Senators Brown of Wells, Cobb, Downey, Brown of Randolph, and New.”

This Joint Committee, after a careful and thorough investigation of the management of the Arsenal, reported that the same had been safely, prudently, and economically managed, and that its continuance was essential to the public service.

The following resolution was adopted by the House of Representatives, and Messrs. Harney, Roberts, Tarkington, Baker, Collins, Kemp of Vigo, Marshall, Milroy and Anderson, were appointed such Committee.

*Resolved*, That a committee of seven be appointed, to make personal examination of the Arsenal or Arsenals in this City, which are under the control of the authorities of this State, and that they report their condition and such other facts as they may deem important, to the Legislature, or the people of the State, as is compatible with the public good.

The Committee submitted the following report, which was unanimously concurred in :

The Select Committee, appointed for the purpose of making examinations of the State Arsenal, and report any facts they might deem necessary connected therewith, have performed that duty, and submit the following report :

The Committee visited the Arsenal, which is situated one and a half miles east of the City. The buildings are mostly of a temporary character ; sufficient, however, for the purpose, and built out of the profits of the institution, so that it pays no rent. At the time of the visit, there was employed in one room about ninety females, and in another about forty—all employed in making ball cartridges, and preparing caps. In another building, the men were moulding bullets, preparing shells, round shot, &c. The Committee were much gratified with the system and economy, and also the neatness and dispatch with which the business was conducted.

In reference to the operations of the Arsenal since its commencement, the Committee would refer to Capt. Sturm's report, which contains a full account of its past transactions, and its present condition. The Committee take pleasure in complimenting Capt. Sturm upon the very satisfactory condition of his accounts, the readiness with which he has furnished us with any desired information, and the zeal and energy he has shown in the enterprise, which are the chief qualities constituting a good officer.

It was the design of the Committee to recommend the Arsenal to be continued under the patronage of the State, and a bill was prepared for that purpose, but subsequent events have rendered it impossible to take any further steps.

Since our visit the Arsenal has been compelled to suspend operations, for a time at least, greatly to the injury of many poor persons that depended on its patronage as a means of support.

The Committee was advised that the Indiana Arsenal had been recognized by the Federal Government as an institution of the State ; a commission had been appointed by the Secretary of War to examine and test the quality of the ammunition fabricated ; and that such commission had reported that the ammunition was of a very superior quality, and that the Secretary of War had entered into a contract with the Executive of this State to purchase all the ammunition that was fabricated beyond the wants of the State.

The Committee was officially informed that the former Military Auditing Committee had taken jurisdiction of the Arsenal, and had examined and audited the claims thereof. It was represented to the Committee by Governor Morton, and the military authorities of the State, that the public service absolutely and imperatively demanded the continuance of the Arsenal. The majority of the Committee being unwilling, by a strict and rigid rule of construction, to injure or embarrass military operations, determined to examine and audit

the claims incurred in the manufacture of munitions of war. It was ascertained, in a short time, that for the whole Committee to give the care and attention to the management of the Arsenal, and the examination of the claims, that the importance and magnitude of the claims, and interests involved, required, would consume too much time, and prevent proper attention to other claims. The Governor, the Quartermaster-General, and the Adjutant-General of the State, were each requested by the Committee to give their personal attention to the management of the Arsenal, and to certify to the correctness of claims presented; but each of these officers declined for the want of time from their public duties in their respective departments. The Committee, therefore, determined to appoint one of its members to act as Superintendent of the Arsenal, for and on behalf of the Committee. The Hon. S. H. Buskirk was appointed to discharge that duty, and was required to remain in Indianapolis, and give his personal and undivided attention to the business thereof, and to certify from his personal knowledge to the correctness of all claims presented for the action of the Committee.

Mr. Buskirk accepted of the position, and discharged the duties thereof to the entire satisfaction of the remaining members of the Committee. This action of the Committee was taken with the concurrence and approval of his Excellency, Governor Morton. Mr. Buskirk was required to make to the Committee monthly reports of the business of the Arsenal, that it might be known at the end of every month whether the institution was making or losing money. Mr. Buskirk received for his services two hundred dollars per month, which was paid out of the profits of the Arsenal. The Committee being desirous of knowing the true condition of the Arsenal, addressed a communication to his Excellency, Governor Morton, requesting him to inform the Committee what amount of money had been drawn out of the State Treasury, and out of what particular fund, on account of the Arsenal, the amount that had been repaid into the State Treasury, the amount of money that had been received by him from the Federal Government on account of ammunition fabricated at the Arsenal, and what disbursements were made thereof. In answer thereto, the Committee received from Governor Morton a statement giving the desired information, which is in the possession of the Committee, and is open and subject to the examination of the General Assembly; but, inasmuch as all the money drawn from the State Treasury on account of the Arsenal has been repaid, it is not filed as an exhibit with this report.

The Committee also made a careful and thorough examination of the books, papers and vouchers on file in the office of Colonel H. Sturm, Chief of Ordnance, and in the office of the Auditor of State, relating to the Arsenal. The result of these examinations, and the facts stated in the communication from Governor Morton, will be exhibited in the two reports made by the Committee to Gov. Morton, and which are embodied in and made a part of this report. The original object in establishing the Arsenal was to supply the militia

of the State with munitions of war, to defend the State from invasion. Many of the Indiana Regiments that were sent to the front were supplied with ammunition from the Indiana State Arsenal, and it was greatly preferred to the ammunition fabricated at the Government arsenals. The Government being in great need of ammunition, made a contract with the Governor of the State to purchase all the ammunition that was made beyond what was required for the service of the State. The Government furnished a large amount of powder and lead, and received in payment therefor ammunition. As fast as the ammunition was fabricated it was turned over to the agents of the Government, and all the payments therefor were made to Gov. Morton, who will furnish to you a full exhibit of the amount by him received and the disposition made thereof. On the 15th day of September, 1863, the Committee submitted to his Excellency, Gov. Morton, a report exhibiting the entire operations of the Arsenal from its commencement in May, 1861, to that date, which was in the words and figures as follows, namely :

ROOMS OF THE MILITARY AUDITING COMMITTEE, }  
INDIANAPOLIS, IND., Sept. 15, 1863. }

*His Excellency*, OLIVER P. MORTON,

*Governor of Indiana :*

SIR:—In compliance with your request, we have made a thorough and careful examination of the affairs and accounts of the Indiana Arsenal, and now have the honor to submit the following report :

From the books, statements and vouchers of the Arsenal office, in charge of Colonel H. Sturm, Chief of Ordnance, the books and vouchers in the office of the Auditor of State, and the books, statements and vouchers of your own office, relating to the Arsenal, we have ascertained the following facts :

The ammunition fabricated and turned over to the Federal Government, amounts to the sum of six hundred and seventy-six thousand and ninety-one dollars and thirty-nine cents, (\$676,091.39.)

The unfinished ammunition, and the materials on hand for making new ammunition, are of the cash value of thirty-eight thousand five hundred and sixty-four dollars and forty-nine cents, (\$38,564.49.)

The tools on hand are of the cash value, of two thousand six hundred dollars, (\$2,600.)

And the buildings erected for the purposes of the Arsenal, are of the cash value of three thousand eight hundred dollars, (\$3,800.)

Making for ammunition fabricated, and turned over to the United States, unfinished ammunition, materials, tools and buildings on hand, the total sum of seven hundred and twenty-one thousand, fifty-five dollars and eighty-eight cents, (\$721,055.88.)



The materials furnished by the Federal Government for the fabrication of ammunition, were of the value of one hundred and twenty, four thousand, two hundred and forty dollars and thirty-seven cents, (\$124,240.37.)

The Federal Government has paid to you, as Governor of the State, on account of ammunition, the sum of four hundred and fifty-six thousand, two hundred and five dollars, and fifty-nine cents, (\$456,205.59.)

And there is still due the sum of ninety-five thousand, six hundred and forty-five dollars and forty-three cents, (\$95,645.43.)

The total amount of claims, which have been made on account of the Arsenal, is five hundred and fourteen thousand, seven hundred and fifty-three dollars and thirty-seven cents, (\$514,753.37.) Of which sum there has been paid the following amounts:

Out of the Military fund, fifty-one thousand, six hundred and forty-eight dollars and eighty-two cents, (\$51,648.82)

Out of the State Arms fund, one hundred and twenty-seven thousand one hundred and forty-one dollars and forty-three cents, (\$127,141.43.)

Out of the State Arsenal fund, the sum of one hundred and eighty-eight thousand, two hundred and forty-three dollars and four cents, (\$188,243.04.)

And from your Department, through the Bureau of Finance, sixty-nine thousand, six hundred and ninety-nine dollars and eighteen cents, (\$69,699.18.)

Making in all, four hundred and thirty-six thousand seven hundred and thirty-three dollars and forty-seven cents, (\$436,733.47); leaving due and unpaid, at this date, claims amounting to seventy-eight thousand and twenty dollars and ninety cents, (\$78,020.90).

Of the amount received by you, as above stated, from the United States, on account of ammunition, to-wit: four hundred and fifty-six thousand two hundred and five dollars and fifty-nine cents, (\$456,205.59), we find that you paid into the treasury of the United States, on account of the direct Government tax against the State of Indiana, sixty eight thousand seven hundred and one dollars and sixty cents, (\$68,701.60); that you paid into the State Treasury two hundred and eleven thousand one hundred and two dollars and eleven cents, (\$211,102.11); that you deposited in the Bank of the Indianapolis Branch Banking Company one hundred and seventy-six thousand four hundred and one dollars and eighty-eight cents, (\$176,401.88); leaving to your credit, for account of the Arsenal, after deducting sixty-nine thousand six hundred and ninety-nine dollars and eighteen cents, (\$69,699.18) for claims paid by you up to this date, one hundred and six thousand seven hundred and two dollars and seventy cents, (\$106,702.70), to be hereafter accounted for.

The net profits of the Arsenal, after the payment of all claims and liabilities, amount to eighty-two thousand and sixty-two dollars and fourteen cents, (\$82,062.14).

The foregoing embraces the entire operations of the Arsenal from



its commencement, in May, 1861, to the present time, September 15, 1863.

For convenient reference, we have made up from the foregoing facts, tabular statements, marked A, B and C, which are hereto attached and made part hereof.

We cannot close this report without bearing testimony to the ability, integrity, and economy with which Col. Sturm has managed the affairs of the Arsenal. His position has been a most difficult and responsible one, requiring constant and unremitting labor, and great skill and perseverance. Fortunately for the State, he has shown himself equal to every duty that has devolved upon him, and we congratulate you upon the great success which has attended his and your efforts, as well on account of the pecuniary advantage which has resulted to the State, from the operations of the Arsenal, as for the great service it has been to the Government. In our judgment, the public service requires that the Arsenal should be continued.

PARIS C. DUNNING,	} <i>Military Auditing Committee.</i>
JOHN C. NEW,	
A. KILGORE,	
S. H. BUSKIRK,	

[ A ]

## THE INDIANA STATE ARSENAL.

*General Statement made up to September 15, 1863.*

The Arsenal is charged:

To Cash from Military Fund, paid on claims.....	\$51,648 82
To Cash from State Arms, paid on claims.....	127,141 43
To Cash from State Arsenal, paid on claims.....	188,243 04
To Cash from Governor's Bureau of Finance, paid on claims .....	69,699 18
Total cash payments.....	<hr/> \$436,732 47
The materials received from United States.....	\$124,240 37
The amount due claimants per Col. Sturm's report.....	78,020 90
Net profits to the State.....	82,062 14
	<hr/> \$284,323 41
	436,732 47
	<hr/> \$721,055 88

The Arsenal is credited :

By ammunition issued to United States.....	\$676,091 39
By munitions and supplies on hand, per Col. Sturm's report.....	38,564 49
By tools at Arsenal, cash value.....	2,600 00
By buildings.....	3,800 00
Total credits.....	<u>\$721,055 88</u>

## [ B ]

*The United States in Account with Indiana Arsenal.*

## DEBIT.

To ammunition issued.....	\$676,091 39
	<u>\$676,091 39</u>

## CREDIT.

By cash.....	\$456,205 59
By materials.....	124,240 37
Total credits .....	<u>\$580,445 96</u>
Balance due the State.....	95,645 43
	<u>\$676,091 39</u>

## [ C ]

*Cash Statement.*

Cash received from the United States.....	\$456,205 59
Cash deposited in State Treasury.....	\$211,102 11
Cash paid to U. S. on account of tax....	68,701 60
Cash paid on claims through Bureau of Finance.....	69,699 18
Balance to be accounted for hereafter...	106,702 70
	<u>\$456,205 59</u>

In the Spring of 1864, His Excellency, Gov. Morton, and the Committee, became apprehensive that a further continuance of the Arsenal might, in consequence of the increased price of labor and materials, and the refusal of the Government to increase the price of ammunition, involve the State in a loss, and it being represented that the Government was then much better supplied with ammunition from its own Arsenals, and was willing to purchase the materials and ammunition on hands, it was determined to close up the Arsenal. The materials, ammunition, building and tools, were appraised by competent and skillful officers, appointed by the Secretary of War and Gov. Morton.

The materials and ammunition, except a small quantity retained for the use of the State, were taken by the Government at the appraisement. The buildings were sold at public auction. The tools and ammunition retained for the use of the State were turned over to A. Stone, Quartermaster General of the State

After the business was all closed up, the Committee, on the 18th of April, 1864, made a report to Governor Morton, in the words and figures as follows :

ROOMS OF MILITARY AUDITING COMMITTEE,  
*April 18th, 1864.*

*His Excellency, Gov. O. P. MORTON :*

The Military Auditing Committee, very respectfully submit the following report of the operations of the

INDIANA STATE ARSENAL FROM THE 16th DAY OF  
SEPT., 1863, TO THE PRESENT TIME.

By reference to our report submitted to you on the 15th Sept., 1863, it will be perceived that the materials and tools on hand, and the buildings erected at the expense of the State, were estimated to be worth the sum of forty-four thousand nine hundred and sixty-four dollars and forty-nine cents, (\$44,964.49.) In that estimate the buildings were valued at three thousand eight hundred dollars, (\$3,800.00,) but as will hereafter appear, they have been sold, and brought only one thousand two hundred and thirty-three dollars and fifty-five cents, (\$1,233.55,) being two thousand five hundred and sixty-six dollars and forty five cents. (\$2,566.45) less than they were appraised at. The Arsenal should, therefore, be charged with the sum of forty-two thousand three hundred and ninety-eight dollars and four cents, (\$42,398.04). Since 15th Sept., 1863, the General Government has furnished materials of the value of thirty-eight thousand four hundred and ten dollars and thirty-nine cents (\$38,410.39.) The entire expense of operating the Arsenal, from the 15th Sept., 1863, to the present time, including the purchase of materials, labor of hands, salary of officers, and all other expenses, according to the statement of Col. H. Sturm, herewith filed, marked "A" and made a part hereof, and which on comparison agrees with the books of the Committee, is the sum of thirty-one thousand one hundred and twenty-four dollars and eight-five cents, (\$31,124.85,) making in all the sum of one hundred and eleven thousand nine hundred and thirty-three dollars and twenty-eight cents, (\$111,933.28) with which the Arsenal is charged.

There has been fabricated and turned over to the General Government since the 15th Sept., 1863, ammunition to the value of fifty-eight thousand three hundred and five dollars and sixty-three cents, (\$58,305.63.)

By an agreement made by, and between your Excellency and the Secretary of War, the materials, and partially fabricated ammunition at the Arsenal, have been transferred to the General Government. The Secretary of War appointed Capt. J. M. Whittemore and Capt. A. McBride, two competent and experienced U. S. Ordnance officers, to act with Col. H. Sturm, in making an inventory and appraisement of the materials, partially fabricated ammunition, and tools, which duty they performed, and signed the inventory and appraisement in duplicate, one of which was sent to the Secretary of War, one filed with your Excellency, and the other filed with the Committee, from which it appears, that the materials, and partially fabricated ammunition, were appraised, and taken by the Government at the sum of forty-seven thousand two hundred and fifty-five dollars and thirty-two cents, (\$47,255.32); that the tools were appraised at the sum of four thousand and two dollars and forty-four cents, (\$4,002.44), which the Government declining to take, were turned over to A. Stone, Quartermaster General of Indiana. Upon your suggestion, ammunition of the value of two thousand and seventy-four dollars and eighty-seven cents (\$2,074.87) were retained for the use of the State, and has been turned over to A. Stone, Quartermaster General of Indiana.

At a meeting of the Committee in March last, upon your suggestion, we ordered the sale of the Arsenal buildings, and appointed the Hon. John C. New to superintend the sale thereof. The buildings were sold on the 13th inst., and realized the sum of twelve hundred and thirty-three dollars and fifty-five cents, (\$1,233.55), and after payment of expenses, the net proceeds of said sale, amounted to the sum of eleven hundred and eight dollars and eighty cents, (\$1,108.80), which has been paid to your Excellency, all of which items amount to one hundred and twelve thousand seven hundred and forty-seven dollars and six cents, (\$112,747.06), with which the Arsenal is credited. From which deduct the said sum of one hundred and eleven thousand nine hundred and thirty-three dollars and twenty-eight cents, (\$111,933.28), and it leaves the sum of eight hundred and thirteen dollars and seventy-eight cents, (\$813.78), as the net profits of the Arsenal since the 15th September, 1863. The profits of the Arsenal have not been large since the 15th Sept., 1863, but this can be very easily and satisfactorily accounted for. The profits of such an Institution greatly depend upon the extent of the business, and upon the fact, that all persons employed are constantly engaged. The work was twice stopped for the want of materials, and twice on account of the intensely cold weather. Several of the most skillful workmen, the foreman of the shops, several clerks, and guards, and the officers, were retained, and received pay, while they were not doing anything for the Arsenal. If these persons had been discharged, they would have engaged in other business, and their places could not have been supplied with persons of as much skill and experience. The ordinary hands were discharged when the work was stopped. To these reasons add the additional one, that the price of materials and labor had greatly advanced, while the General Government re-

fused to increase the price of the ammunition, and the wonder will be that the Institution cleared expenses. It is very gratifying that under all these adverse and unfavorable circumstances, that there has been a small profit.

By reference to the reports submitted and settlements made on the 15th of September, 1863, it will be perceived that the net profits up to that date, amounted to the sum of eighty-two thousand and sixty-two dollars and fourteen cents, (\$82,062.14). To which add the profits since that date—eight hundred and thirteen dollars and seventy-eight cents, (\$813.78)—making the sum of eighty-two thousand eight hundred and seventy-five dollars and ninety-two cents, (\$82,875.92), from which should be deducted over estimate on value of buildings, two thousand five hundred and sixty-six dollars and forty-five cents, (\$2,566.45), which amount was included in the statement of profits, September 15th, 1863, leaving net profits eighty thousand three hundred and nine dollars and forty-seven cents, (\$80,309.47). The amount above stated as net profits, includes value of tools and ammunition retained by the State, amounting to six thousand seventy-seven dollars and thirty-one cents, (\$6,077.31), which, when deducted, leaves the sum of seventy-four thousand two hundred and thirty-two dollars and sixteen cents, (\$74,232.16), actual cash profits on the whole operations of the Arsenal.

By reference to the settlement made on the 15th September, 1863, it will be perceived that the ammunition issued and turned over to the General Government, prior to that time, amounted to the sum of six hundred and seventy-six thousand ninety-one dollars and thirty-nine cents, (\$676,091.39); to this sum add the sum of one hundred and twelve thousand seven hundred forty-seven dollars and six cents, (\$112,747.06), and it will make the entire amount of ammunition and materials turned over to the Government, tools and ammunition retained by the State, and buildings sold, seven hundred and eighty-eight thousand eight hundred and thirty-eight dollars and forty-five cents, (\$788,838.45).

The amount of claims for the expenses of the Arsenal credited prior to the 15th Sept., 1863, was five hundred and fourteen thousand seven hundred and fifty-three dollars and thirty-seven cents. (\$514,753.37.) The value of the materials furnished by the General Government, prior to the 15th Sept., 1863, was the sum of one hundred and twenty-four thousand two hundred and forty dollars and thirty-seven cents. (\$124,240.37.) The materials furnished by the General Government since that date amount to the sum of thirty-eight thousand four hundred and ten dollars and thirty-nine cents, (\$38,410.39.) The amount of claims audited since the 15th Sept., 1863, is thirty-one thousand one hundred and twenty-four dollars and eighty-five cents, (\$31,124.85,) all of which amount to the sum of seven hundred and eight thousand five hundred and twenty-eight dollars and ninety-eight cents, (\$708,528.98,) which deducted from the said sum of seven hundred and eighty-eight thousand eight hundred and thirty-eight dollars and forty-five cents, (\$788,838.45)

leaves the sum of eighty thousand three hundred and nine dollars and forty-seven cents, (\$80,309.47.) On the 15th Sept., 1863, the amount of ammunition turned over to the General Government was the sum of six hundred and seventy-six thousand ninety-one dollars and thirty-nine cents, (\$676,091.39,) from which deduct the sum of one hundred and twenty-four thousand two hundred and forty dollars and thirty-seven cents, (\$124,240.37), the value of the materials furnished by the General Government, and there was left the sum of five hundred and fifty one thousand eight hundred and fifty-one dollars and two cents, (\$551,851.02,) as due from the General Government, to the State, in money.

Your Excellency had received from the General Government prior to the 15th Sept., 1863, the sum of four hundred and fifty-six thousand and two hundred and five dollars and fifty nine cents, (\$456,205.59), which left due the State at that date, the sum of ninety-five thousand, six hundred and forty-five dollars and forty-three cents, (\$95,645.43.) From a statement made by your Excellency herewith filed marked "H" and made a part hereof, it appears that your Excellency has received from the General Government since that date, the sum of ninety-five thousand, three hundred and thirty-three dollars and forty-three cents, (\$95,333.43,) being three hundred and twelve dollars, (\$312.00) less than the amount for which accounts were rendered. This difference is accounted for by the General Government charging the State 24 cents per pound for a lot of powder where credit was only given 23 cents per pound. This shows that your Excellency has received from the General Government, the sum of five hundred and fifty-one thousand five hundred and thirty-nine dollars and two cents, (\$551,539.02.) There has been turned over to the Government since 15th Sept., 1863, ammunition of the value of fifty-eight thousand three hundred and five dollars and sixty-three cents, (\$58,305.63,) and materials of the value of forty-seven thousand and two hundred and fifty-five dollars and thirty-two cents (\$47,255.32,) which makes the sum of one hundred and five thousand five hundred and sixty dollars and ninety-five cents, (\$105,560.95.) The Government has furnished materials since that date of the value of thirty-eight thousand four hundred and ten dollars and thirty-nine cents, (\$38,410.39,) which deducted from said sum of one hundred and five thousand five hundred and sixty dollars and ninety-five cents, (\$105,560.95,) leaves the sum of sixty-seven thousand one hundred and fifty dollars and fifty-six cents (\$67,150.56,) as due from the Government to the State.

Of the sum received by your Excellency from the General Government you paid into the Treasury of the U. S. on account of the direct Government tax against the State of Indiana, the sum of sixty-eight thousand seven hundred and one dollars and sixty cents, (\$68,701.60) and into the Treasury of the State of Indiana, the sum of two hundred and eleven thousand one hundred and two dollars and eleven cents, (\$211,102.11,) making in all the sum of two hundred and seventy-nine thousand eight hundred and three dollars and sev-

enty-one cents, (\$279,803.71.) The Committee take pleasure in saying that nothing has occurred since our report made to your Excellency, on the 15th Sept., 1863, to weaken the confidence that we then felt, and expressed in the ability, integrity and economy displayed by Col. H. Sturm, in the management of the Indiana Arsenal.

For convenient reference we have made up from the foregoing facts, tabular statements marked "A," "B," "C," "D," "E," "F," "G," which are hereto attached and made a part hereof.

PARIS C. DUNNING,  
JOHN C. NEW,  
SAMUEL H. BUSKIRK,  
ALFRED KILGORE,  
*Military Auditing Committee.*

[A]

## GENERAL STATEMENT INDIANA ARSENAL.

The Arsenal is charged :

Value of materials, tools and buildings, (actual value,)	\$42,398 04
" " " furnished by U. S. since Sept. 15, '63,	38,410 39
Claims for supplies, &c., audited " " 15, '63,	31,124 85
Total debit,.....	<u>\$111,933 28</u>

The Arsenal is credited :

Ammunition turned over to U. S. since Sept. 15, '63,...	\$58,305 63
Materials " " " .....	47,255 32
Value of tools on hand, .....	4,002 44
Ammunition retained by the State,.....	2,074 87
Net proceeds of sale of buildings, .....	1,108 80
Total credit,.....	<u>\$112,747 06</u>
Deduct debit,.....	<u>111,933 28</u>
Net profits since Sept. 15, 1863,.....	813 78

April 13th, 1864.

[B]

*Statement of Profits.*

Net profits of Arsenal prior to Sept 15, 1863, .....	\$82,062 14
Less over estimate on value of buildings, .....	2,566 45
	<hr/>
	\$79,495 69
Net profits of Arsenal since Sept. 15, 1863,.....	813 78
	<hr/>
Total profit,.....	\$80,309 47
(This amount includes value of tools and ammunition on-	
hand,) .....	6,077 31
	<hr/>
Actual cash profits,.....	\$74,232 16

[C]

Ammunition turned over prior to Sept. 15, 1863,.....	\$676,091 39
Deduct value of materials furnished by U. S.,.....	124,240 37
	<hr/>
	\$551,851 02
Deduct cash received from U. S. to Sept. 15, 1863,...	456,205 59
	<hr/>
	\$95,645 43
Deduct cash received from U. S. since Sept. 15, 1863,	95,333 43
	<hr/>
Balance,.....	\$312 00
Deduct mistake in credit of powder,.....	312 00
	<hr/>

[D]

Ammunition turned over to U. S. to Sept. 15, 1863...	\$676,091 39
Ammunition, materials, tools and buildings, per state-	
ment A,.....	112,747 06
	<hr/>
Arsenal credits,.....	\$788,838 45
Claims audited to Sept. 15, 1863,.....	\$514,753 37
Materials from U. S. to Sept. 15, '63,	124,240 37
Materials from U. S. since Sept. 15, '63.	38,410 39
Claims audited,.....	31,124 85
	<hr/>
Arsenal debits,.....	\$708,528 98
Total profits, as shown in statement "B," .....	80,309 47



## [E]

Ammunition turned over to U. S. since Sept. 15, 1863,	\$58,305 63
Materials turned over to U. S.      "      "      "	47,255 32
	<hr/>
	\$105,560 95
Deduct materials furnished by U. S. since Sept. 15, '63,	38,410 39
	<hr/>
Balance due from U. S.,.....	\$67,150 56
April 18th, 1864.	

## [F]

Tools turned over to Q'r. M'r.-Gen'l,...	\$4,002 44
Ammunition turned over to Quarter-	
master-General,.....	2,074 87
Proceeds sales of buildings,.....	1,108 80
	<hr/>
	\$ 7,186 11
Ammunition and materials to U. S.,.....	105,560 95
	<hr/>
Total as per Statement "A,".....	\$112,747 06

## [G]

*Cash Statement.*

Cash received from U. S.,.....	\$551,539 02
--------------------------------	--------------

*Cash Deposited.*

In State Treasury,.....	\$211,102 11
Paid U. S. on account of direct tax,...	68,701 60
Bureau Finance,.....	271,735 31
	<hr/>
	\$551,539 02
April 8th, 1864.	

The Committee is well satisfied that the Arsenal has been of great service to the State and Government, and is gratified to know that after the payment of all the debts created, and expenses incurred in the management thereof, that there is still a net cash profit of \$74,-232 16 to the State.

The Committee has felt constrained to give this extended notice of the Arsenal, from the fact that its existence and management have been a matter of controversy in the public press; and it is believed

that this report and exhibits will afford all the information that will be desired by the General Assembly, or the people of the State.

*Claims Connected with, and Growing out of the Various Rebel Raids into, and Threatened Invasion of the State of Indiana.*

The invasion of the State by Gen. Morgan, several small raids into the State, and the various threatened invasions, have occasioned a very large number of claims to be presented for the action of the Committee; and many of these claims presented very different questions as to the power and jurisdiction of the Committee, and as to the liability of the State. These claims may be placed in three general classes, although there are many subdivisions of each class:

1st. The pay of officers and men, transportation and subsistence of Federal and State troops.

2d. For property destroyed and injured by the Federal and State forces.

3d. Property taken, destroyed or injured by the Rebels.

The great portion of the forces engaged in repelling the invasion of John Morgan were companies of the Legion, and other volunteer companies, called into active service by the proclamation of his Excellency, Governor Morton. These forces were suddenly called into service, without any preparation having been made for transportation of forces, subsistence and munitions of war, and without any subsistence for men and horses.

Pay-rolls for the State forces engaged in the Morgan raid were prepared by Major Sterns Fisher, Paymaster of the State of Indiana, to the amount of \$ , which were presented to the Committee, examined and audited to that amount, and Major Fisher is now engaged in paying such forces.

Major Fisher is engaged in the preparation of other pay-rolls for the same service, and which, he thinks, will amount to the sum of \$ .

A good deal of time has been necessarily and unavoidably consumed in the preparation of these pay rolls, owing to the difficulty of ascertaining with certainty who were actually engaged in the service, and the length of time engaged. The officers of companies having failed to prepare accurate muster-in and muster-out rolls. Doubtless some persons who were in service have been omitted, and others may have been placed on the rolls who rendered no service. These mistakes were unavoidable from the loose and confused manner in which the accounts were prepared and kept, in the confusion and excitement produced by the invasion of the State by John Morgan.

The various Quartermasters were compelled to procure subsistence for men and horses from the citizens of our State. It frequently

occurred that soldiers were taken to hotels, boarding-houses and farm houses, and were supplied with meals. In a few instances, receipts were given by the officers, but in the most of cases no receipts or vouchers were given, and the claimants were put to the expense and trouble of proving the correctness of their claims.

The Committee required all claims for transportation and subsistence to be presented to Quartermaster General Stone for his examination and approval, before they were examined and audited. The Committee have examined and audited a large number of these claims, and it is advised that claims for a large amount exists that have not been presented to General Stone, or examined and audited by the Committee. The honor and integrity of the State require, that immediate steps should be taken for the liquidation and payment of these claims. The Committee entertained no doubt that the State was liable for, and that it was authorized to examine and audit claims belonging to the first class hereinbefore mentioned.

The Committee entertained no doubt of the liability of the State for property taken, injured and destroyed by the Federal or State forces, but it was equally well satisfied that it had no jurisdiction of that class of claims, and that it would require further legislation to enable the owners of such property to obtain compensation therefor; and the Committee determined to refer such claims to the General Assembly, with a recommendation that provision be made to ascertain the amount of such claims, and for the payment thereof.

*Claims belonging to this class are of the following character :*

1st. Quartermasters, and other officers of the Federal and State forces, without any contract with or the consent of the owners, took corn, hay, oats, flour, bacon, hogs, beef cattle, sheep, poultry, and whatever was required, for the subsistence of men and horses.

2d. Many of the companies were required to be mounted. The soldiers generally furnished their own horses and equipments, but it sometimes happened that the soldier had no horse or equipments, in which case he either borrowed a horse, or one was pressed into the service. The greater portion of these horses and equipments were returned to the owners, but no compensation was made for the use or injury thereof. In many instances the horses and equipments were lost, killed, or captured by the enemy, and no compensation has been made for such loss.

3d. Horses, mules, wagons and the necessary equipments, were hired and pressed into the service, to be used as artillery horses, or to provide transportation of subsistence and munitions of war. Where this property was returned, no compensation was made for the use, or injury thereof; and when lost, killed, or captured, no compensation has been made for the value thereof.

The following communication from Gen. Stone on this subject, was received by the Committee, and is very respectfully referred to the General Assembly, for its examination and consideration.

QUARTERMASTER GENERAL'S DEPARTMENT, IND. VOLS., }  
*Indianapolis, Ind. Dec. 21st, 1864.* }

*To the Honorable Auditing Committee :*

GENTLEMEN :—I herewith send your Committee a few claims which have been left with me, for horses pressed into the service during the Morgan and Johnson raids, and which, as is stated, were never returned to the owners, and for which the applicants claim the value of the horses. In each of these cases, the parties represent that they made proper application to Government officers for their pay for the horses, but were in all cases refused. As this class of claims are quite numerous, and some system should be adopted to prevent, as far as possible, imposition on the State, I trust your Committee will take such steps in the matter as will insure their speedy and satisfactory adjustment. The reason I have not signed and registered these claims, was the want of some proper mode of fairly adjusting them, and the absence of power to take such evidence as would be satisfactory to my mind, of the correctness of each claim, before being certified to by me.

Respectfully,

A. STONE, *Q. M. Gen. Ind.*

The Committee very earnestly invite the attention of the General Assembly to claims in favor of citizens of this State, for property taken, injured and destroyed, by the rebels.

These claims may be classified as follows :

1st. Property taken, and afterwards abandoned by, or captured from the rebels.

2d. Property brought into the State by the rebels and by them abandoned or exchanged for other property belonging to citizens of our State, and afterwards taken possession of by the officers of the Federal Government, and by them sold and proceeds appropriated to her use.

3d. Property taken from our citizens by the rebels, and by them taken out of the State.

4th. Property taken by the rebels, and by them consumed.

5th. Money extorted by the rebels from our citizens, to save their property from destruction.

6th. Injury done to railroads in this State by the rebels.

The rebels under Morgan, took from our citizens, and captured from our forces many horses, mules, wagons and equipments. Some of this property was abandoned by the rebels, and some of it was captured from them by our forces. The rebels brought into this State horses and mules that were by them abandoned, and in many instances they stole horses from our citizens and left in their place

their tired and worn out horses. The officers of the Federal Government retained the possession of all the property captured from the rebels, and after the raid was over, the agents of the Government followed in the route traveled by the rebels and took possession of all the property that had been abandoned by them, and all that they had left, in place of property stolen from our citizens. Many of our citizens demanded their property from the officers of the Government and offered to prove the identity and ownership thereof, but such officers refused to deliver the same up, but all such property was sold and the proceeds thereof, amounting to the sum of \_\_\_\_\_ was appropriated to the use of the Government.

The Committee does not controvert the right of the Government to appropriate to its use property belonging to the enemy, and by him abandoned, or from him captured, but where property has been stolen from a citizen by the enemy, and by him abandoned, or from him captured, and the property can be clearly identified, it is the duty of the Government to deliver such property up to the owner thereof. No doubt is entertained that the citizen is entitled to compensation wherever the property has come into the possession of the Government. But our citizens should not be put to the expense and inconvenience of obtaining payment from the Government. The first duty of a State is to protect its own citizens. The State should liquidate and pay these claims, and then ask the Federal Government to reimburse her for such amount, and no doubt is entertained that the Government would refuse to do this act of justice to the State of Indiana, that has rendered such efficient aid, and has asked so little assistance from the Government in protecting her borders and soil from invasion. The rebels took from our citizens, beef-cattle, hogs, sheep, poultry, bacon, flour, corn, hay, oats, and whatever was required for the subsistence of men and horses.

The rebels entered many stores of our citizens and carried away their contents. The rebels compelled many of our citizens to pay them large sums of money to prevent their stores, mills and residences from being burned.

The rebels inflicted very serious injury on the Louisville, New Albany & Chicago, the Jeffersonville & Indianapolis, and the Indianapolis & Cincinnati Railroads, by destroying their tracks and burning their depots, engines and cars. These claims for property taken and destroyed by the rebels, present the legal question whether the State or the Government is liable for property destroyed by the public enemy. While the Committee is not prepared to say, that according to international law, and the rules and usages of war, that a State is bound to indemnify its citizens for property stolen or destroyed by the public enemy, it very respectfully and urgently suggests to the General Assembly, that it would be more just and equitable for the tax payers of the whole State to pay these damages, than for a few persons to sustain the entire loss.

It should be remembered that our citizens residing on the lakes, and in every part of the State, felt an equal pride with our citizens

on the southern border, in protecting our State from invasion. It should also be remembered that while our citizens residing on the southern border have sustained the entire loss, they have given their time, means, and endangered their lives, and in many instances lost them in preserving the honor of the State, and protecting the lives and property of her citizens.

If the burden is equally divided among the tax payers of the State, it will fall lightly upon all, and will do an act of justice to our fellow-citizens, who have so faithfully, patriotically, and promptly defended the soil of our proud and noble State.

On the 20th of March, 1864, the Legislature of Ohio passed an act, entitled, "An act to provide for the appointment of commissioners to examine claims growing out of the Morgan raid, and prescribing their duties," the 6th section of which reads as follows:

SEC. 6. Said Commissioners shall examine all such claims duly presented, and find the amount of loss thereon; and whether the claim be meritorious, as upon the evidence before them, they may deem just and equitable; and they shall keep a full and correct record of the claims presented, and of their action thereon; and shall, on or before Dec. 15th, 1864, report their proceedings, their finding, and the facts upon which each claim is founded, to the Governor, separating such claims into the following classes:

1st. Claims for property taken, destroyed or injured by the rebels.

2d. Claims for property taken, destroyed or injured by the Union forces, under command of United States officers.

3d. Claims for property taken, destroyed or injured by Union forces, not under command of United States officers, with a statement showing specifically in each case, under what circumstances, and by what authority, such property was so taken, injured or destroyed. It being the object of this act to have a careful examination of said claims, and to report as to the nature and amount thereof, but to leave the question of the liability of the State open and undetermined for future action.

The Committee would suggest that the Legislature should determine the liability of the State, before any commission is appointed, otherwise it might impose a heavy expense upon the State and claimants; and a subsequent Legislature might refuse to pay the claims allowed. During the last fall an expedition was organized at Evansville, Ind., under the command of Major General Hovey, which invaded the State of Kentucky in pursuit of the forces under the command of the rebel General Adam Johnson.

A considerable number of horses, mules, wagons and equipments, were pressed into the service. The greater part of this property was returned to the owners, but no compensation was made for the use and injury thereof.

Some twenty-five of the horses were lost or killed, and the officers of the Government have refused to pay for such property. Subsistence for men and horses was procured from our citizens, and the Government has refused pay therefor. The Committee has examined

and audited several claims for subsistence, but many of the claims remain unaudited and unpaid. When this expedition returned to this State, it brought with it about thirty horses and mules, and other valuable property, which was turned over to the officers of the Government.

The value of this property was sufficient to have paid for the property lost and injured, and the subsistence furnished and not paid for. Inasmuch, as the Government has appropriated to its use this property, it should, without hesitation, pay our citizens for the value of property injured and lost, and for subsistence furnished. But as the appropriate Department at Washington, has refused to pay these claims, when presented by citizens, the State should pay them, and then ask the Government to reimburse her.

The Committee, for the reasons heretofore stated, believing that it did not possess the power to examine and audit claims for property lost in this expedition, herewith refer said claims to the General Assembly, with a recommendation for their payment.

*Claims for Rent of Fair Grounds and other Premises taken Possession of by the Military Authorities of the State for Encampments, and Damages done thereto by such Occupation.*

Claims were presented to the Committee from every Congressional District in the State for the rent of and damage done to premises occupied for military encampments. These encampments, with the exception of those in and near the city of Indianapolis, were taken possession of by the authorities of this State, and have been used in the organization of regiments before they were mustered into the service of the United States. The various encampments near this city have been occupied and used by the Federal Government for the accommodation of troops after they were mustered into the service, and for the safe keeping of rebel prisoners; but it has not paid the rent of or damage done thereto. This is not right. The Federal Government should pay for premises occupied by its troops, and the damages done thereto, and should reimburse the State for all the expenses incurred in organizing regiments for the service of the United States; but, as the most of these premises were taken possession of by State authority, the owners have a right to demand payment of the State, and after the State has paid these sums, it will have a right to demand of the Federal Government the re-payment of all sums of money expended in organizing troops for its service. The laws creating a commission to examine military claims in the State of Ohio empowers such commission to allow "claims for the use of grounds for camps, and for damage thereto." The Committee is advised that the Military Commission of Ohio has examined and allowed claims to a large amount for rent of and damages done to grounds for camps, that such claims have been paid by the Treasurer of that State, and that the Federal Government has reimbursed her to the full amount by her paid. The Committee, therefore, advise

the prompt payment by the State of all these claims, so that our Governor may ask of the Federal Government reimbursement. The first claims of this character that were presented to the Committee were accompanied by voluntary affidavits as to the value of the rent and damages done. The Committee soon found that it was not safe to rely upon affidavits that were prepared by the claimants or their attorneys, and that it would impose too much expense upon either the State or the claimants to require the witnesses to be examined before the Committee in this city.

The Committee, therefore, to protect the State from imposition, and to do justice to the claimants, with as little expense and trouble as possible, divided the State into districts, and appointing one member of the Committee to visit every place where a claim of this character originated, and to examine in person premises which had been used for camps, and to take depositions of witnesses for the claimant and the State. This system worked well, and no doubt is entertained that many thousands of dollars were saved the State. The Committee, except in a few instances, where very reasonable claims were presented, allowed over half the amount that was claimed. In several instances the fences, buildings and stalls, on fair grounds, were torn down, by order of the commandant of the post, and the lumber was used to build barracks and stalls. In such cases, the Committee had no difficulty in arriving at the conclusion that the State was liable. In many instances fences and buildings were destroyed, and burned up by the soldiers. A large number of claims were presented for the value of hogs, sheep, poultry, corn, potatoes and fruit, taken and consumed by the soldiers. Claims were also presented for the destruction of fences and buildings by the soldiers, on premises not occupied for camps, but adjacent thereto. Several claims were presented for the destruction by the soldiers of sutlers' stands in the camps. These claims occasioned the Committee great difficulty. It was insisted by some members of the Committee that neither the Government nor the State should be liable for the wanton and wilful acts of trespass committed by soldiers while in the service. On the other hand, it was insisted that it was the duty of the Government to maintain and enforce such discipline as would prevent the soldiers from committing any acts of trespass. After mature deliberation, the Committee determined to allow such claims for damages as necessarily occurred from the occupation of the premises for camps, and to refer all the other claims to the General Assembly for further legislation in reference thereto. The Committee may have erred in this matter; but, if it has, the Legislature may apply the remedy. The Committee, to guard against doing injustice to any person, examined witnesses, and reduced their testimony to writing in many of the claims that were referred to the Legislature.

### *The Pay of the Indiana Legion.*

The Legion has been frequently called into active service since the commencement of the war, and has rendered very valuable and effec-



tive service, in defending our Southern border, and aiding the State of Kentucky when invaded by the rebel forces. The Legion has been organized into companies, regiments and brigades, armed and drilled, and its organization has dispensed with the necessity of calling on the Federal forces, while in active service at the front. Neither the officers nor privates had received any pay until recently. Major Sterns Fisher was appointed by his Excellency, Gov. Morton, Paymaster of the Indiana Legion, and such State forces as might be called into the active service of the State. Major Fisher presented to the Committee, pay rolls for the officers and privates of the Legion. The pay rolls were made out for each company, with a summary for each regiment. The pay rolls were made out in triplicate, and the Paymaster was required to have each pay roll receipted, according to army regulations. One copy, thus receipted, was sent to the Secretary of War, one was delivered to Gov. Morton, and the third was filed with the Committee.

The pay rolls were audited before the payments were made by Major Fisher. This was rendered necessary from the fact that there was not money enough belonging to the Legion fund, to pay all the regiments of the Legion. As each regiment was paid, the receipted pay rolls were sent to Washington, and money was advanced thereon, which was used in the payment of other regiments. This process was continued to the present time. The Committee has made a partial settlement with Major Fisher, but a full settlement could not be made, from the fact, that a good many members of the Legion were absent from home, when he made the payments.

When the payments are all made, this settlement can be completed, and the attention of the next Committee is invited to this subject.

#### *The Claim of Adjutant General Noble.*

Gen. Noble, during his term of service as Adjutant General of the State, had the rank of a Brigadier General, while he only received the pay of a Colonel of Cavalry, being two hundred and eleven dollars per month. Gen. Noble frequently insisted, that according to the Acts of Congress, an Order of the Secretary of War, and the uniform practice in other States, that he was entitled not only to the rank, but the pay of a Brigadier General. Finally, he presented a claim for the difference between the pay of a Colonel of Cavalry and a Brigadier General, which amounts, during his term, to the sum of \$——. The Committee is well aware of the responsible, arduous, and complicated duties of the Adjutant General in a time of war, and is ready to concede that the rank and pay should correspond with the responsibility imposed, and certainly no Adjutant General of the adhering States, is entitled to greater pay or honor than Gen. Noble, and the marked and well known ability of the present incumbent, justify the belief that he will not be surpassed by any in fidelity, promptness, integrity and administrative ability. The rank and pay of this officer should be clearly and definitely fixed and regulated by law. The claim of

Gen. Noble is herewith submitted to the General Assembly, for whatever legislation may be proper.

*The Claim of Walls & Harter.*

This claim is for damages sustained by the claimants in the destruction of their Sutlers' stand and the contents thereof. The evidence was taken and reduced to writing, and is herewith submitted. The evidence clearly establishes the destruction, and the value of the property destroyed. The Committee refused to allow the claim, for the reason that the injury was produced by the wanton and willful act of trespass by the soldiers, in Camp Carrington, in this city. The Committee did not think that it possessed the power under the law creating it, to audit claims of this character. The attention of the General Assembly is called to this claim, in the confident hope that the liability of the State will be settled by legislation.

The necessity of continuing this Committee is too manifest to require any argument. While the extraordinary expenditures necessarily and unavoidable, occasioned by the war, are continued, the Auditing Committee should be regarded as an indispensable necessity, but its power and jurisdiction should be more clearly fixed and regulated by law, and the Committee recommend to the General Assembly the propriety of giving the next Committee jurisdiction over the following classes of claims :

1st. Claims for pay of Volunteers enlisted under the authority of the State or General Government, for such time as they are not entitled to receive pay from the General Government, although such Volunteers may have been discharged without having been mustered into the service.

2d. Claims for recruiting, and the reasonable and legitimate expenses incident thereto, accruing under the authority of this State, or the General Government, where the contract or understanding at the time has been fully complied with on the part of the claimants, and not on the part of the State, or General Government, through consolidation of regiments, or otherwise.

3d. All claims of Field Officers of regiments raised, or authorized to be raised for the army of the United States, for the time such officers were actually engaged, under appointments from the Governor, in organizing such regiments, or doing duty in camps of rendezvous of instruction, before their muster into the service of the United States, in case they were discharged from service by the consolidation of their regiments.

4th. Claims for Quartermaster stores, clothing, blankets, shoes, caps, fuel, medicines, and other goods furnished Volunteers on orders from commissioned officers not lower in rank than Colonel, or other officers commanding a regiment in command of such Volunteers.

5th. Claims for necessary transportation, traveling expenses, and subsistence.

6th. Claims for labor, hospital service, teaming and printing.

7th. Claims for supplies furnished to, labor done for, and grounds used for camps under contracts authorized by the Governor, Adjutant General, or other proper officers, by the regiments of Indiana Legion or Militia, including all damages done to such grounds.

8th. Claims for the use of grounds occupied under contract, made by authority of the Governor, Adjutant General, or other proper officers, and used for camps, and damages thereto, used by the State forces for rendezvous or instruction.

9th. Also claims for the pay of officers and privates of Indiana Legion, and volunteers, called into active service by the proclamation of the Governor.

The Committee would also recommend that it should be made the duty of the Attorney General, or some attorney appointed by the Governor, to appear before the Committee, and resist the payment of claims.

The present Committee has frequently felt the necessity for some person to represent the State in controverted cases, as some members of the Committee have been designated to examine witnesses for the State, and cross-examine witnesses for the claimant, which subjects such members to the imputation of acting as an attorney and judge in the same case. Claimants have been represented in a large number of claims by attorneys. A detailed statement of all the claims audited by the Committee would make this report too voluminous, and it has been deemed sufficient to classify the claims audited so far as the same can be done, and the report is submitted in that shape.

Claims have been classified under the following headings, with amounts audited to each class, as follows :

Audited on account of Legion,.....	\$425,209 60
Transportation, .....	33,436 41
Subsistence, .....	50,151 42
Hospital and Sanitary Commission,.....	98,251 87
Arsenal,.....	201,595 43
Pay, .....	66,291 25
Morgan Raid,.....	13,299 87
Arms and equipments,.....	22,886 39
Camps and quarters,.....	55,550 97
Miscellaneous, .....	19,090 22
<hr/>	
Total, .....	\$985,763 43
Claims paid,.....	848,921 75
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	\$136,841 68

The Committee has prepared a tabular statement showing the amount of claims of the several classes that have been audited during each month that the Committee has been in existence, which is herewith submitted, and is in the words and figures as follows :

*CLASSIFICATION of Accounts Audited by the Military Auditing Committee, 1863, 1864, and 1865.*

MONTH AUDITED.	Legion.	Transportation.	Subsistence.	M. and A. Com- mission.	Arsenal.	Pay.	Morgan Haid.	Arms and equip- ments.	Camps and quarters.	Miscellaneous.	TOTAL.
1863.											
March.....	\$32 00	\$658 26	\$149 08	.....	\$41,070 11	\$3,636 23	.....	.....	\$136 00	\$770 67	\$45,832 35
May.....	1,257 95	1,570 23	925 18	\$71 17	15 00	6,061 76	.....	.....	75 25	.....	10,252 51
June.....	7,080 02	.....	.....	78 95	46,804 51	735 00	.....	.....	2,618 00	.....	57,316 48
July.....	216 59	872 00	43 80	2,863 88	6,953 17	1,397 97	.....	.....	81 00	1,018 59	13,479 70
August.....	772 47	2,255 33	31 08	1,918 76	41,181 44	1,608 87	.....	191 47	.....	162 82	48,122 34
September.....	188 93	640 91	284 65	3,978 76	23,610 28	4,127 76	.....	.....	1,265 00	2,430 04	42,026 23
October.....	200,871 47	165 12	250 50	9,321 17	.....	4,374 09	\$1,722 94	863 91	8,496 07	379 54	232,454 81
November.....	.....	470 40	.....	1,123 63	.....	1,426 94	.....	.....	1,000 00	130 55	4,104 92
December.....	1,391 05	3,588 46	36 00	7,227 91	10,786 03	.....	5,025 25	71 43	481 10	93 50	28,717 74
1864.											
January.....	1,378 58	646 09	246 65	3,692 68	10,074 78	3,830 45	1,088 49	2 12	10 70	90 85	21,671 39
February.....	1,258 91	.....	.....	4,152 70	8,926 18	1,786 71	905 40	.....	.....	2,030 41	19,623 02
March.....	651 56	1,133 82	.....	965 00	4,585 18	2,474 05	548 96	.....	111 62	624 07	11,114 26
April.....	2,484 00	950 33	3,307 30	8,154 56	1,866 44	2,973 97	53 00	73 60	316 41	10 00	20,188 71
May.....	681 55	559 76	456 55	6,739 94	.....	2,088 53	217 50	450 00	6,317 58	378 82	15,490 53
June.....	8,786 50	1,219 17	10 00	2,148 31	.....	2,772 97	378 00	.....	11,190 80	1,104 83	27,041 51
July.....	745 49	9,017 98	.....	1,853 23	.....	5,296 05	155 45	18,931 15	1,515 03	80 40	37,621 81
August.....	26,696 41	378 65	285 82	5,130 25	112 31	1,367 40	10 00	.....	.....	210 00	34,190 81
September.....	37,626 73	748 42	36,999 83	1,698 55	.....	2,588 65	725 41	.....	4,928 00	5 00	79,390 59
October.....	8,906 04	339 92	55 80	5,818 17	.....	2,467 30	293 00	.....	.....	712 32	23,150 55
November.....	4,877 70	1,469 15	60 00	2,878 23	.....	5,166 89	207 60	18 00	.....	829 00	15,566 37
December.....	113,271 75	4,162 63	7,409 18	31,507 61	.....	9,885 95	1,898 86	2,009 04	6,155 13	6,859 78	183,155 83
1865.											
January.....	.....	2,037 09	.....	488 95	.....	207 37	.....	.....	11,220 28	.....	11,916 60
Total.....	\$425,209 60	\$33,436 41	\$50,151 42	\$98,251 87	\$201,595 43	\$96,291 25	\$13,299 87	\$22,886 39	\$55,550 97	\$19,090 22	\$85,763 44

Of the claims audited, the sum of eight hundred and forty-eight thousand, nine hundred and twenty-one dollars, and seventy-five cents, (\$848,921 75,) have been paid by the Federal Government, Governor Morton and Quartermaster Stone, leaving unpaid the sum of one hundred and thirty-six thousand, eight hundred and forty-one dollars, and sixty-eight cents, (\$136,841 68,) for which appropriations will have to be made.

It will make this report too voluminous to insert the names of the claimants and amount allowed, of the claims unpaid, and the Committee will furnish to the Committee on Ways and Means the register of claims audited, from which the appropriation bills may be made up. A large proportion of the claims remaining unpaid should be paid by the Federal Government, and it is confidently believed that the State will be reimbursed for such payments. The law should require all the books, records, papers, vouchers and evidences taken of the late, present, and all future Auditing Committees, to be filed with the Auditor of State, who should be required to carefully preserve the same.

The Committee desire, in this public manner, to express its obligations to Governor Morton, his Staff, Quartermaster Stone, and all the State officers, including the Librarian, for their uniform courtesy, promptness and cheerfulness, with which information has been furnished, and every facility provided for the transaction of its business.

All of which is respectfully submitted.

PARIS C. DUNNING,  
JOHN C. NEW,  
SAM. H. BUSKIRK,  
WILLIAM E. NIBLACK,  
ALFRED KILGORE,

*Military Auditing Committee.*

*Report of Auditing Committee, appointed at the session of 1863 of the General Assembly of the State of Indiana.*

This Committee was appointed in accordance with the provisions of the 5th section of an act making additional appropriations for the year 1861 and 1862, and defining the funds from which they are to be paid, and providing for a Committee to audit claims upon said appropriation, and providing for the expenses thereof; approved May 31st, 1861, which provide that a Committee shall be appointed consisting of two members of the House and one of the Senate, to be denominated an Auditing Committee, whose duty it shall be to meet at Indianapolis monthly, and examine and audit the account of the Commissary General and Quartermaster General, and all other accounts, either for pay of men or materials of any kind, purchased and designed to be paid for out of the appropriation made in first section of said act, prohibiting the Auditor of State from paying any claim of any description whatever, except for Legislative expenses,

until said claim shall have been audited and certified by said Committee or a majority of them.

David C. Branham, of Jefferson, and Mathew L. Brett, of Daviess counties were appointed from the House, and Joshua H. Mellett, of Henry county, from the Senate, to constitute said Committee.

On the 11th day of June, 1861, said Auditing Committee met at Indianapolis for the transaction of business—present David C. Branham and Mathew L. Brett.

The Committee were notified by the Hon. Albert Lange, Auditor of State, that he would disregard the action of said Auditing Committee, and continued to draw his warrants upon the Treasurer of State as if said Committee had not been appointed.

Having thus been notified, the Committee deemed it proper to submit the validity and Constitutionality of said act to the court of the State for determination, and Mr. Branham, of said Committee, was instructed to employ Messrs. McDonald and Roache, attorneys, on the part of the Committee.

The question was accordingly first submitted to the Judge of the Common Pleas Court of Marion county, and decided adversely to said Committee. An appeal was taken to the Supreme Court—the decision of the Common Pleas Court was overruled, and the act declared Constitutional and in full force.

The Committee then met at Indianapolis on the 15th day of July, 1861, for the transaction of business. The sixth section of said act authorized the Committee to employ a clerk, and in accordance with said provision, W. H. H. Terrell Esq., was appointed.

The amount of claims which had accumulated during the pendency of the decision of the Courts in regard to the Constitutionality of the law, was large, and the Committee remained in session until the last day of July.

The Committee made it their first duty to protect the State as far as it was in their power, from unjust and exorbitant demands, and at the same time to award to claimants what was just and proper, and no more.

The Committee having been notified that a claim in favor of G. Simon & Son, for 1000 suits of clothes, amounting to \$8,750 for 24th Regiment, Col. A. P. Hovey commanding, were not furnished according to contract, and that there was evidently an intention to defraud in the quality of said clothing, after a careful examination, rejected the claim and ordered the clerk to endorse the foregoing, together with the decision of the Committee on the back of the same, which we now herewith present to the House and ask its reference to the Committee on Claims.

A great many claims have been rejected by the Committee for causes, the enumeration of which, it is unnecessary to embody in this report. On the 15th day of April, 1862, Mr. Terrell having been appointed Military Secretary to the Governor, W. C. Lupton was appointed to fill the vacancy, who continued to act as clerk of the Committee until the 19th of June, at which time he was appointed

Quartermaster at Camp Morton, and J. J. Hayden appointed clerk of the Committee, who is still acting as such in the distribution of claims audited by the Committee, taking proper vouchers and receipts for them when delivered, and making up a full and complete record of all the claims audited by the Committee. There are still many claims outstanding, which are being presented from day to day.

A detailed statement of all the accounts audited by the Committee would make a voluminous report, and we have deemed it sufficient to classify the claims audited so far as the same can be done, and present our report in that shape.

We have classified claims under the following headings, with amounts audited to each class, as follows :

The amount audited for

Clothing was.....	\$140,153 53
Equipments was..	119,259 00
Transportation was.....	154,274 87
Subsistence       “ .....	83,327 03
Hospital         “ .....	17,154 98
Pay               “ .....	148,087 69
Horses           “ .....	11,992 75
Arms             “ .....	7,160 91
Camps           “ .....	25,830 10
Legion           “ .....	5,091 33
Miscellaneous   “ .....	61,366 75
<hr/>	
Amounting to.....	\$70,614 67

In addition to which, at the request of the Governor, we have examined and audited claims on account of the Arsenal, amounting to..... \$385,978 63

Total, ..... \$1,256,593 30

About \$16,000 of the amount audited in Arsenal accounts, was for other Departments, but, for convenience, was presented with them, and allowed and paid directly by the General Government.

Respectfully submitted,

D. C. BRANHAM,  
M. L. BRETT,  
J. H. MELLETT,  
*Auditing Committee.*

Which,

On motion,

Was referred to the Committee of Ways and Means.

## SENATE BILLS ON FIRST READING.

Engrossed Senate bill No. 100. A bill fixing the compensation of Township Assessors,

Was read a first time, and passed to a second reading.

Engrossed Senate bill No. 128. A bill making appropriation for the payment of interest on the State University Bonds, for the years 1863 and 1864,

Was read a first time, and passed to a second reading.

Engrossed Senate bill No. 41. A bill appointing Commissioners to sell certain real estate therein named, to provide a residence for the Governor of the State and his successors, and to make him an allowance in lieu thereof, until the same is provided and matters properly connected therewith,

Was read a first time.

Mr. Newcomb moved that it be deemed expedient to suspend the Constitutional rule, requiring bills to be read on three several days, and read Senate bill No. 41, a second time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Beckett, Bonner, Boyd, Burnes, Buskirk, Chambers, Church, Coffroth, Cox, Croan, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Henricks, Hogate, Hoover, Hunt, Lane, Lockhart, Meredith, Miller of Clinton, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Reese, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Steward, Stivers, Stringer, Upson, Veach, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—59.

Those who voted in the negative were,

Messrs. Abbett, Bird, Burton, Glazebrook, Gregg, Humphreys, Lee, Lemon, Lopp and Spencer—11.

So it was deemed expedient to suspend the Constitutional rule, and said bill was read a second time.

On motion by Mr. Newcomb,

Said bill was referred to a Special Committee of three.

Engrossed Senate bill No. 68. A bill to change the name of the



Terre Haute and Richmond Rail Road Company, and to give further time for the completion of the line of said road from Terre Haute to a point on the western line of the State of Indiana.

Was read a first time, and

On motion,

Referred to the Committee on Railroads.

Senate bill No. 5. An act to amend section 601 of the act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852.

Was read a first time, and

On motion,

Referred to the Committee on the Judiciary.

Senate bill No. 30. A bill to authorize, regulate and confirm the sale of railroads, to enable purchasers of the same to form corporations and to exercise corporate powers, and to define their rights, powers and privileges; to enable such corporations to purchase and construct connecting and branch roads, and to operate and maintain the same.

Was read a first time, and passed to a second reading.

Mr. Coffroth moved to suspend the order of business, and take up House bills on third reading.

Which was agreed to.

House bill No. 9. A bill to repeal any restriction or limit as to the per centum per annum to be divided to the stockholders of any railroad company, that shall have organized and constructed a railroad prior to the adoption of the constitution of this State, or to the enactment of the general act providing for the incorporation of railroad companies, so that all railroad companies shall be upon equal footing, and have the same terms, as to dividends upon their earnings,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bird, Bonner, Boyd, Burnes, Chambers, Church, Coffroth, Cox, Croan, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Hogate, Hoover, Hunt, Lane, Lee, Lemon, Lockhart, Meredith, Montgomery, Olleman, Osborn, Perigo, Reese, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stivers, Upson, Veach, Willis, Woodruff and Woods—55.

H. J.—34.

Those who voted in the negative were,

Messrs. McVey, Newcomb, O'Brien, Richards, Stewart, Stringer, Whiteside and Mr. Speaker—8.

There being no quorum voting, the bill under the rule, was passed over till to-morrow.

Mr. Burnes moved that the House do now adjourn.

Which was not agreed to.

House bill No. 20. A bill for the encouragement of agriculture; authorizing the Indiana State Board of Agriculture, to purchase, hold and sell real estate, legalizing the purchase by said Board of certain lands in Marion County; exempting the property of said Board from taxation; authorizing the County Treasurer of Marion County to refund certain taxes; and making an annual appropriation for the use of said Board.

Was ordered to engrossment, and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Burnes, Church, Coffroth, Croan, Emerson, Ferris, Goodman, Gregg, Gregory of Warren, Groves, Hamrick, Henricks, Hershey, Hogate, Hoover, Kilgore, Lasselle, Lockhart, Meredith, Montgomery, McVey, Newcomb, O'Brien, Osborn, Olleman, Rice, Reese, Richardson, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stewart, Stivers, Trusler, Upson, Veach, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—51.

Those who voted in the negative were,

Messrs. Buskirk, Chambers, Glazebrook, Griffith, Hargrove, Lane, Lemon, Lopp, Perigo, Richards and Stringer—11.

There not being a quorum voting, the bill, under the rule, passed over till to-morrow.

On motion by Mr. Henricks,  
The House adjourned.

2 O'CLOCK, P. M.

The House met.

Unanimous consent was given Mr. Branham to introduce

House bill No. 186. A bill declaring the laws now in force sufficient to authorize the semi-annual interest on the State debt, authorizing the payment of the same as it may become due, declaring specific appropriations therefor unnecessary, and providing for punishment for violations of this act.

Which was read a first time, and passed to a second reading.

Pending the adjournment this morning was the calling up of House bill No. 20.

The question being, shall the bill pass ?

Mr. Newcomb moved to reconsider the vote by which House bill No. 20 was ordered to a third reading, and that the bill be recommitted to a Select Committee of three.

Which was agreed to.

Message from the Governor, by Mr. Berry R. Sulgrove, his Private Secretary.

STATE OF INDIANA, EXECUTIVE DEPARTMENT, }  
INDIANAPOLIS, February 21, 1865. }

*To the Senate and House of Representatives of the General Assembly of Indiana :*

I have received the following communication from sundry citizens of Tippecanoe county, making a proposition in regard to the establishment of an agricultural college, under the donation of lands for that purpose by Congress, at the Tippecanoe Battle Ground, with an accompanying plan and map of the grounds :

INDIANAPOLIS, IND., February 18, 1865.

GOVERNOR O. P. MORTON :

The undersigned citizens of Tippecanoe county propose, upon condition that the State of Indiana will locate and permanently establish the agricultural college provided for under the act of Congress of July 5, 1865, at the Tippecanoe Battle Ground, in said county, on the premises now occupied by the "Battle Ground Institute," to

donate to the State the college buildings and grounds owned by the "Battle Ground Institute," embracing eight acres in the plat on which the building stands, and forty acres owned by the Institute, situated in Tippecanoe county, some distance from the Battle Ground. Also, near two hundred acres of land adjacent to, and in the immediate vicinity of the Battle Ground, and one hundred acres of land in the northern part of the State of Indiana, together with ten thousand dollars in money. The title to the real estate donated to rest in the State, in fee simple, and the ten thousand dollars to be paid concurrently with the location of the college as above provided.

In making this proposition, we act as a committee on behalf of Joseph Cooper and others, whose written guaranty, with accompanying map, exhibiting the college grounds and surrounding country, including the lands proposed to be donated in the vicinity of the Battle Ground, we hold in our hands, ready to be placed at the disposal of the proper authorities. The aggregate value of the lands and money hereby offered is, in our opinion, one hundred thousand dollars.

Please communicate this offer to the two branches of the General Assembly, and oblige

Your humble servants,

JAMES D. SHAW,  
HIRAM SHAW,  
WILLIAM MITCHELL,  
H. D. RIDDALL,  
CHAUNCEY JONES,

GEORGE D. WAGNER,  
JOHN ROSSER,  
JOSEPH COOPER,  
WILLIAM MOORE,  
JOHN H. HULL.

The site of the Tippecanoe Battle Ground is a beautiful and healthful one, with a pleasant admixture of timber and prairie land surrounding it. The citizens are generally intelligent, and the agricultural interests well developed and progressive. The historic associations are honorable and gratifying. The proposition is a liberal one, and doubtless well secured.

I trust it will receive your careful investigation, among the other propositions on the same subject.

O. P. MORTON,  
*Governor of Indiana.*

Message from the Senate, by Mr. Whittlesey, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof, to-wit?

Engrossed Senate bill No. 108. An act to amend the 6th section of an act entitled, "An act regulating divorces, nullification of marriages, and decree and order of Court incident thereto," approved May 13, 1852.

Engrossed Senate bill No. 114. An act to amend section 38 of an act entitled, "An act to provide for the incorporation of railroad companies," approved May 11, 1852.

Engrossed Senate bill No. 168. A bill fixing the times of holding the Courts in the 12th Judicial Circuit.

Engrossed Senate bill No. 150. An act to amend sections 7, 9 and 20 of an "act to provide against the consequences ensuing, or likely to ensue from the destruction of books, pamphlets, papers, records or other writings of any county in this State; any Circuit, Probate, Commissioners' or other inferior Courts of record therein, or filed with or in the legal custody of any officer of any county of this State, and to provide for the perpetuation of testimony relative to the same; and requiring new official bonds to be given in cases where the bonds of officers, executors, administrators and guardians have been destroyed," approved January 12, 1852.

Engrossed Senate bill No. 104. An act to amend the second section of an act entitled an "act to regulate the sale of swamp lands donated by the United States to the State of Indiana, and to provide for the draining and reclaiming thereof, in accordance with the condition of said grant," approved May 29, 1852.

Engrossed Senate bill No. 47. An act providing for compensation to parties whose property may be destroyed, or whose persons or property may be injured in consequence of mobs or riots.

Engrossed Senate bill No. 118. An act to amend the twenty-third section of an act to provide for the valuation and assessment of the real and personal property and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors, appraisers of real and personal property, County Treasurers and Auditors, and of the Treasurer and Auditor of State, approved June 21, 1852.

Engrossed Senate bill No. 101. An act to amend the second section of an act entitled, "An act to amend the 5th and 6th sections of an act entitled an act to provide for the election of a Reporter and the speedy publication of the decisions of the Supreme Court; for the compensation of such Reporter, approved February 28, 1855; and also to amend the 7th section of an act entitled, an act to provide for the election of a Reporter and a speedy publication of the decisions of the Supreme Court; for the compensation of such Reporter," approved February 5, 1852.

Engrossed Senate bill No. 99. A bill requiring Clerks of the Circuit Courts and Courts of Common Pleas to make indexes to the Record Books of their respective offices.

Engrossed Senate bill No. 93. An act defining certain felonies, and prescribing punishment therefor.

In which the concurrence of the House is respectfully requested.

The hour having arrived for the special order, namely: The consideration of Senate bill No. 3, and the majority and minority reports of the Committee to whom the same was referred—the same was taken up.

The question being on agreeing to the report of the minority of the Committee,

Mr. Brown offered the following amendment:

“That an act entitled “an act to authorize the Boards of Commissioners of the several counties of the State of Indiana, and the authority of any incorporated city or town in said State, to make appropriations in certain cases, and to legalize certain appropriations therein specified,” approved May 10th, 1864, be, and the same is hereby repealed.”

Which was not adopted.

The question recurring on the adoption of the minority report,

Mr. Buskirk moved a division of the question.

Which was seconded.

The question being on the adoption of the first section of the report:

Mr. Brown moved to amend the amendment by striking out the words “have been.”

On the adoption of which,

Messrs. Brown and Wright demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Brown, Beckett, Buskirk, Cox, Croan and O'Brien—6.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Branham, Burnes, Chambers, Church, Coffroth, Emerson, Ferris, Foulke, Goodman, Gregg, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Hogate, Hoover, Humphreys, Hunt, Kilgore, Lane, Lemon, Lockhart, Lopp, Meredith, Miller of Clinton, Montgomery, McVey, Newcomb, Olle-

man, Osborn, Patterson, Perigo, Reese, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stringer, Thatcher, Trusler, Upson, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—67.

So the amendment to the amendment did not prevail.

The question recurring on the first section of the minority report, Messrs. Wright and Burnes demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Boyd, Branham, Burnes, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Henricks, Hershey, Hogate, Hoover, Humphreys, Kilgore, Lane, Lockhart, Meredith, Montgomery, McVey, Olleman, Reese, Rice, Richardson, Riford, Sabin, Sim, Stewart, Stivers, Stringer, Upson, Whiteside, Willis, Woodruff, Woods, Wright, and Mr. Speaker—41.

Those who voted in the negative were,

Messrs. Abbett, Beckett, Bird, Bonner, Brown, Buskirk, Chambers, Church, Coffroth, Cox, Croan, Glazebrook, Gregg, Hargrove, Harrison, Hunt, Lemon, Lopp, Miller of Clinton, Newcomb, O'Brien, Osborne, Patterson, Perigo, Richards, Roach, Shoaff of Allen, Shoaff of Jay, Shuey, Spencer, Thatcher, Trusler and White—33.

So the first section of the minority report was agreed to.

The question being on agreeing to the second section of the minority report.

Messrs. Wright and Groves demanded the ayes and noes.

Pending which,

Mr. Buskirk offered the following as an amendment to the amendment:

“That all counties that have not offered bounties be required to give bounties.”

Mr. Hershey moved to lay the amendment offered by Mr. Buskirk on the table.

Messrs. Buskirk and Spencer demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Beckett, Bird, Bonner, Boyd, Branham, Brown, Church, Coffroth, Cox, Croan, Emerson, Ferris, Foulke, Goodman,

Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Hogate, Hoover, Hunt, Kilgore, Lane, Lemon, Lockhart, Meredith, Miller of Clinton, Montgomery, McVey, Newcomb, O'Brien, Osborn, Patterson, Perigo, Reece, Rice, Richardson, Riford, Roach, Sabin, Shuey, Sim, Stewart, Stivers, Stringer, Thatcher, Trusler, Upson, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—64.

Those who voted in the negative were,

Messrs. Abbett, Burnes, Buskirk, Chambers, Humphreys, Lopp Richards, Shoaff of Allen, Shoaff of Jay, and Spencer—10.

So the amendment to the amendment was laid on the table.

Mr. Brown offered the following amendment :

That all persons who have contributed money for the purposes of obtaining Volunteers, shall have the amount so contributed refunded to them out of the Treasury of the County in which they reside.

On the adoption of which,

Messrs. Burnes and Spencer demanded the ayes and noes.

Pending which, the Speaker laid before the House the following telegram :

WASHINGTON CITY, D. C., }  
February 21st, 1865. }

GOV. MORTON :

The Department has received the official report of Major General Gilmore, announcing the surrender of the City of Charleston, South Carolina, to the United States forces under his command, at 9 o'clock, Saturday morning, the eighteenth inst. Among the captured property are two hundred pieces of good artillery, and a supply of fine ammunition. The enemy burned their cotton-warehouses, arsenals, quartermaster stores, railroad bridges, two iron clads, and some vessels in the ship yards.

E. M. STANTON,  
Secretary of War.

On motion by Mr. Brown,  
The House adjourned.



WEDNESDAY MORNING, 9 o'CLOCK, A. M., }  
 February 22, 1865. }

The House met pursuant to adjournment.

On motion,  
 The reading of the Journal was dispensed with.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. Branham,

The claims of Robert Evans for \$25 00; R. L. McOuat & Co., \$19 75; R. L. & A. W. McOuat, \$62 25; J. George Stilz, \$3 75; Merrill & Co., \$354 60; Merrill & Co., \$505 40; Merrill & Co., \$6 25; Merrill & Co., \$904 20; B. H. Cornwell for witness fees; Spiegel, Thoms & Co., \$1 50; C. H. Bailey, witness fees  
 Which was referred to the Committee on Claims, without reading.

By Mr. Hogate,

A claim of J. George Stilz, \$3 75, which was referred to the Committee on Claims, without reading.

By Mr. Gregg,

A petition from sundry tax payers of Dearborn county, Indiana, praying for compensation for losses sustained by the Morgan raid.  
 Which was referred to the Committee on the Judiciary.

By Mr. Atkinson,

A petition from sundry citizens of Benton county, Indiana, praying that the law granting license to sell intoxicating liquors, may be amended so as to require the applicant for license to procure the signatures of a majority of the voters in the City or Town in which he desires to sell.

Which was referred to the Committee on Temperance.

By Mr. Buskirk,

A petition from sundry citizens of Monroe county, Indiana, praying for an amendment to the State Constitution.

Which was referred to the Committee on Constitutional amendments.

By Mr. Sim,

A petition from the citizens of Cambridge City, Indiana, praying for an amendment to the State Constitution.

Which was referred to the Committee on Constitutional amendments.

By Mr. Brown,

A petition in behalf of John Smith, praying for an appropriation for the payment of certain costs.

Which was referred to the Committee on Sinking Funds.

By Mr. Church,

A memorial from the Commissioners of Porter county, in reference to the collection of public revenue.

Which was referred to the Special Committee heretofore appointed on the subject of election frauds.

The Speaker announced the appointment of Mr. Lane on the Committee on Banks. Also, to the Committee on the Affairs of the City of Indianapolis.

The Speaker announced the following Special Committee on Senate bill No. 41: Messrs. Newcomb, Buskirk and Branham. Also, Special Committee of three on House bill No. 20: Messrs. Newcomb, Shoaff of Jay, and Hamrick.

A Special Committee of five on House bill No. 181: Messrs. Shoaff of Allen, Coffroth, Griffith, Lasselle and Buskirk.

By Mr. Branham,

A claim of Samuel L. Rugg, for \$1,542 25.

Which was referred to the Committee on Claims, without reading.

By Mr. Lemon,

A petition from sundry citizens of Harrison county, asking for payment of damages incurred by the Morgan raid.

Which was referred to the Committee on the Judiciary.

By Mr. Newcomb,

A memorial from the members of the Merchant's Exchange, of the City of Indianapolis, in reference to an increase of the Common School Funds.

Which was referred to the Committee on Education.

By Mr. Newcomb,

A memorial from the President and Secretary of the Public Schools of the City of Indianapolis, on the subject of education.

Which was referred to the Committee on Education.

By Mr. Newcomb,

A memorial from James H. Woodburn, late Superintendent of the Indiana Insane Asylum, asking for additional pay.

Which was referred to the Committee on Scientific and Benevolent Institutions.

By Mr. Newcomb,

A claim of James Russell for \$9 00.

Which was referred to the Committee on Claims.

By Mr. Church,

A petition from sundry citizens of Porter county, urging the Legislature to pass an act fixing the general standard of qualifications, &c., of physicians, &c.

Which was laid on the table.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Branham, from the Committee on Ways and Means, made the following report:

MR. SPEAKER:

The Committee on Ways and Means, to whom was referred House bill No. 159, have had the same under consideration, and recommend its passage, with the following amendments:

In the fifth clause of section six in the first line, in the third line in the seventh line, and in the ninth line, strike out the word "erected" and insert the word "occupied."

Strike out after the word "Institution," in line five, the words "wherein tuition, information or education is imparted free of charge."

And, when so amended, would recommend its passage, and would recommend that the abstract herein be printed.

Mr. Branham, from the Committee on Ways and Means, made the following report :

MR. SPEAKER :

The Committee on Ways and Means, in compliance with the provisions of the fifth section of the act of the 4th of May, 1861, authorizing the Governor of this State to issue two millions of bonds for the public defense, to repel invasion, beg leave to report that on the 9th of February, 1865, in conjunction with the Finance Committee of the Senate, they carefully examined and counted, and in the presence of the Committee, the Auditor and Treasurer of State, in the office of the Auditor of this State, in this city, burned and destroyed the six per cent. War Loan Bonds, described in the following list, and redeemed during the last two years ; amounting in the aggregate to the sum of three hundred and nine thousand and five hundred dollars, viz :

From and including number.	To and including number.	Number of bonds destroyed.	Amount of each bond.	Amount.	Total amounts.	WHEN AND FROM WHOM PURCHASED.
1161	1165	5	\$1,000	\$ 5,000		
1257	1276	20	1,000	20,000		
1372	1373	2	1,000	2,000		
1654	1678	25	1,000	25,000		
1890	1895	6	500	3,000		
					\$55,000	
578	597	20	1,000			November 15th, 1864, from Winslow, Lanier & Co.
				.....	20,000	November 19th, 1864, from Kentucky Stock Bank.
1424	1431	8	1,000	8,000		
1498	1949	2	500	1,000		
	1181	1		1,000		
					10,000	January 9th, 1864, Bank of Mt. Vernon.

From and including number.	To and including number.	Number of bonds destroyed.	Amount of each bond.	Amount.	Total amounts.	WHEN AND FROM WHOM PURCHASED.
1525	1526	2	\$1,000	\$ 2,000	\$39,000	April 11, 1864, 1st National Bank, Indianapolis.
1541	1550	10	1,000	10,000		
1734	1744	11	1,000	11,000		
1750	1758	9	1,000	9,000		
1771	1776	6	1,000	6,000		
1974	1975	2	500	1,000		
1367	1368	2	1,000	2,000		
1251	1252	2	1,000	2,000		
1247	1249	3	1,000	3,000		
803	807	5	1,000	5,000		
	1301	1	.....	1,000	15,000	April 28, 1864, and Sept. 7, 1864, from W. H. English, Cashier.
1983	1984	2	500	1,000		
	1848	1	.....	500		
	1871	1	.....	500		
	1369	1	.....	1,000		
	1557	1	.....	1,000		
745	752	8	1,000	.....		
				.....		
693	702	10	1,000	.....		
				.....		
1498	1507	10	1,000	10,000	10,000	November 29, 1864, M. A. Malott, Cashier.
1613	1615	3	1,000	3,000		
1761	1765	5	1,000	5,000	18,000	September 13, 1864, Bank of Salem.
681	692	12	1,000	.....		
1154	1156	3	1,000	3,000	12,000	Nov. 14, 1864, Fletcher & Sharpe.
1174	1177	4	1,000	4,000		
1182	1186	5	1,000	5,000		
	1297	1	.....	1,000		
1307	1310	4	1,000	4,000		
1312	1315	4	1,000	4,000		
	1331	1	.....	1,000		
1399	1403	5	1,000	5,000		
	1531	1	.....	1,000		
	1552	1	.....	1,000		
	1610	1	.....	1,000		

From and including number.	To and including number.	Number of bonds destroyed.	Amount of each bond.	Amount.	Total amounts.	WHEN AND FROM WHOM PURCHASED.
1639	1640	2	\$1,000	\$ 2,000	\$60,000	Nov. 23, '64, from Exchange Bank, Greencastle.
1704	1706	3	1,000	3,000		
	1708	1		1,000		
1766	1770	5	1,000	5,000		
1788	1789	2	1,000	2,000		
1912	1921	10	500	5,000		
1990	2006	17	500	8,500		
2037	2043	7	500	3,500		
1220	1222	3	1,000	3,000	30,000	Nov. 25, 1864, G. W. Rathbone.
	1246	1		1,000		
1277	1278	2	1,000	2,000		
	1281	1		1,000		
1616	1637	22	1,000	22,000		
	1971	1		500		
	1981	1		500		
791	802	12	1,000	12,000		
808	810	3	1,000	3,000	30,500	June 18, 1864, July 27, '64, Sept. 15, 1864, H. J. Lyons & Co.
1188	1189	2	1,000	2,000		
	1296	1		1,000		
1535	1540	6	1,000	6,000		
1694	1699	6	1,000	6,000		
	1845	1		500		
Total,...				\$309,500		

The report was laid on the table, and three hundred copies ordered to be printed—two hundred for the use of the House, and one hundred for the use of the Senate.

Mr. Trusler, from the Committee on the Judiciary made the following report :

MR. SPEAKER :

The Judiciary Committee to whom was referred House bill No. 142, entitled an act to amend section 4 and 5 of "an act entitled an act to authorize Judges of the Circuit Courts and Common Pleas Courts, to appoint Master Commissioners, and defining the duties and fixing the compensation of such Master Commissioners," approved March 2d, 1853, respectfully report back said bill to the House, and recommend that it be indefinitely postponed.

Mr. Brown moved to recommit said bill to the Committee on the Judiciary.

There was not a quorum voting.

The Speaker ordered a call of the House, when the following members answered to their names.

Messrs. Abbett, Atkinson, Banta, Beckett, Bonner, Boyd, Branhams, Brown, Burnes, Burton, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Hoover, Hogate, Humphreys, Hunt, Johnson, Kilgore, Lasselle, Lee, Lemon, Lockhart, Lopp, Meredith, Miller of Clinton, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Steward, Stivers, Stringer, Stuckey, Thatcher, Trussler, Veach, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—84.

The call showing a quorum present.

The question being on recommitting said bill to the Committee on the Judiciary.

It was agreed to.

Mr. Trussler, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Judiciary Committee to whom was referred House bill No. 135, entitled a bill to amend section 651 of the Code of Practice, respectfully report back said bill to the House and recommend its passage.

Which was laid on the table.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following Engrossed bills thereof, to-wit:

Engrossed Senate bill No. 177. A bill for the relief of persons who have paid certain claims to the State, or to the proper officer under color of judicial proceedings, and to subrogate such persons to the right of the State.

Engrossed Senate bill No. 122. An act in regard to weights and measures, the custody thereof, and fees for using the same.

Engrossed Senate bill No. 133. A bill fixing the time of holding the Courts in the third Judicial Circuit.

Engrossed Senate bill No. 127. An act to amend sections 37 and 46 of an act entitled an act dividing the State into counties, defining their boundaries, and defining the jurisdiction of such as border on the Ohio and Wabash rivers, approved June 7th, 1852, and defining the boundaries of the counties of Jackson and Lawrence.

Engrossed Senate bill No. 135. An act to amend the seventy-first section of an act entitled "an act granting to the citizens of Evansville, in the county of Vanderburg, a city charter," approved January 27th, 1847, and to add supplemental sections to said act.

In which the concurrence of the House is respectfully requested.

Mr. Kilgore, from the Committee on the Judiciary, made the following report:

[There is no Report furnished to the printer—an omission by the journal clerk.]

Mr. Kilgore moved that it be deemed expedient to suspend the Constitutional rule requiring bills to be read by sections on three several days, that said bill may be read a second time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burnes, Church, Cook, Cox, Emerson, Ferris, Foulke, Goodman, Gregory of Mont-



gomery, Gregory of Warren, Griffith, Groves, Hamrick, Henricks, Hershey, Hogate, Hoover, Johnson, Kilgore, Lane, Lockhart, Meredith, Montgomery, McVey, Newcomb, Olleman, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Steward, Stivers, Stringer, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—47.

Those who voted in the negative were,

Messrs. Abbett, Beckett, Bird, Brown, Burton, Buskirk, Chambers, Coffroth, Croan, Dunham, Glazebrook, Gregg, Harrison, Humphreys, Hunt, Lee, Lemon, Lopp, Miller of Clinton, Milroy, O'Brien, Osborn, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Spencer, Stucky, Thatcher, Veach and White—33.

So it was not deemed expedient to suspend the Constitutional rule.

Mr. Brown moved that the minority of said Committee on House bill No. 137, be allowed time to submit a report.

Which was agreed to.

Mr. Newcomb, from a Joint Committee of the two Houses, made the following report:

MR. SPEAKER:

The Joint Committee of the two Houses of the General Assembly, to whom was referred the matter of making provision for a celebration of the birth day of Washington, have had the same under consideration, and in view of the fact that neither House was in session on Saturday, and that most of the Committee were absent until too late to perfect proper arrangements, they recommend that no steps be taken by the Legislature for a formal celebration. They further suggest, that the best honors they can render to the day, will be a faithful attention to the business of legislation now pressing for action.

Mr. Brown offered the following amendment:

Amend by striking out and inserting the following:

THAT WHEREAS the House being desirous of respecting the memory of George Washington, the Father of his Country,

*Resolved*, That the House do now adjourn.

Mr. Olleman moved to lay the amendment on the table.

H. J.—35

Messrs. Brown and Olleman demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cook, Cox, Emerson, Ferris, Foulke, Goodman, Gregory of Warren, Gregory of Montgomery, Groves, Hamrick, Henricks, Hershey, Hogate, Hoover, Johnson, Kilgore, Lane, Lockhart, Meredith, Montgomery, McVey, Newcomb, Olleman, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Steward, Stivers, Stringer, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—47.

Those who voted in the negative were,

Messrs. Abbett, Beckett, Bird, Brown, Burton, Buskirk, Coffroth, Croan, Dunham, Glazebrook, Gregg, Hargrove, Harrison, Humphreys, Hunt, Lee, Lemon, Lopp, Miller of Clinton, Milroy, O'Brien, Osborn, Perigo, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stuckey, Thatcher and Veach—31.

So the amendment was laid on the table.

The question being on concurring in the report of the Committee, it was concurred in.

The hour having arrived for the consideration of the special order for the day,

Mr. Church moved to postpone said special order until Senate bill No. 3 was disposed of.

Which was agreed to.

Mr. Bonner, by unanimous consent, from the Sinking Fund Committee made the following report:

**MR. SPEAKER:**

The Sinking Fund Committee, to whom was referred House bill No. 47, a bill to increase the powers of the Board of Sinking Fund Commissioners, and to authorize said Board to loan any monies belonging to said fund in Indiana State bonds or stocks, and providing for the cancelling of such bonds or stocks, and the reissuing of new non-negotiable bonds or stocks payable to said fund, have considered the same, and offer the following amendment:

Fill blank in 20th line, 3d page, by inserting 20 years or sooner, if said Commissioners think proper, and with said amendment report the bill back to the House, and recommend its passage.

Said bill was read a second time; also the amendments as reported by said Committee and agreed to.

Mr. Dunham offered the following additional amendment:

Provided it shall be the duty of said Board to purchase said State Bonds in preference to loaning to individuals, wherever such bonds can be obtained upon satisfactory terms.

Which was agreed to.

Mr. Branham moved to further amend, by inserting six per centum as the amount to be paid on new bonds.

Messrs. Buskirk and Coffroth demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bonner, Boyd, Branham, Burns, Chambers, Church, Cook, Cox, Emerson, Ferris, Goodman, Gregory of Montgomery, Gregory of Warren, Groves, Henricks, Hershey, Hogate, Hoover, Johnson, Kilgore, Lane, Lockhart, Miller of Tippecanoe, McVey, Olleman, Reese, Riford, Steward, Stivers, Stringer, Whiteside, Woods, Wright and Mr. Speaker—34.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Brown, Burton, Buskirk, Coffroth, Croan, Crook, Foulke, Glazebrook, Gregg, Griffith, Hamrick, Hargrove, Harrison, Hunt, Lasselle, Lee, Lemon, Lopp, Miller of Clinton, Milroy, Montgomery, Newcomb, O'Brien, Osborn, Patterson, Perigo, Rhoads, Rice, Richards, Richardson, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stuckey, Thatcher, White, Willis and Woodruff—46.

So the amendment was not agreed to.

Mr. Buskirk offered the following amendment:

Sec. — That all laws in conflict or inconsistent with the provisions of this act, be and the same are hereby repealed.

Which was agreed to.

On motion the bill was considered as engrossed.

Mr. Newcomb moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read on three several days, and that House bill No. 47 be read a third time now.

The ayes and noes were taken under the constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Branham, Brown, Burns, Burton, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Hogate, Hoover, Johnson, Kilgore, Lane, Lasselle, Lockhart, Lopp, Miller of Clinton, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Steward, Stivers, Stringer, Stuckey, Whiteside, Willis, Woodruff, Woods and Wright—70.

Those who voted in the negative were,

Messrs. Abbett, Glazebrook, Griffith, Hunt, Lee, Lemon and Thatcher—7.

So the Constitutional rule was suspended, and House bill No. 47 read a third time.

Mr. Branham moved the previous question.  
Which was seconded by the House.

The question being, shall the main question be now put?  
It was so ordered.

The question being shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burton, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Hoover, Hunt, Johnson, Kilgore, Lane, Lee, Lockhart, Miller of Clinton, Miller of Tippecanoe, Milroy, McVey, Newcomb, O'Brien, Olleman, Osborne, Perigo, Reese, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Steward, Stivers, Stringer, Stuckey, Thatcher, Upson, White, Willis, Woodruff, Woods and Wright—71.

Those who voted in the negative were,

Messrs. Griffith, Hogate, Lasselle, Lemon, Lopp, Montgomery, Patterson, Richards, Shoaff of Jay and Whiteside—10.

So the bill passed.

The question being, shall the title as read stand as the title to said bill.

It was agreed to.

*Ordered*, That the Clerk inform the Senate thereof.

SPECIAL ORDER FOR THE DAY.

Senate bill No. 3 being under consideration, the question on adjournment was on agreeing to the amendment offered by Mr. Brown, to the amendment reported by the minority of said Committee.

Mr. Sim moved to reconsider the vote whereby the House on yesterday agreed to the first section of the minority report.

Mr. Brown, by consent, withdrew his amendment.

The question then being on the motion to reconsider.

Mr. Brown moved the previous question.  
Which was seconded by the House.

The question being, shall the main question be now put?  
It was so ordered.

The question being on the motion made by Mr. Sim to reconsider.

Messrs. Wright and Gregory demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bonner, Boyd, Brown, Buskirk, Chambers, Church, Coffroth, Cox, Croan, Crook, Foulke, Glazebrook, Gregg, Gregory of Warren, Griffith, Hargrove, Harrison, Hogatê, Hunt, Johnson, Lasselle, Lee, Lemon, Lockhart, Milroy, McVey, Newcomb, O'Brien, Osborne, Patterson, Perigo, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Steward, Thatcher, Upson, Trusler, White and Willis—51.

Those who voted in the negative were,

Messrs. Bird, Branham, Burnes, Cook, Dunham, Emerson, Ferris, Goodman, Gregory of Montgomery, Groves, Hamrick, Henricks, Hershey, Hoover, Kilgore, Lane, Miller of Tippecanoe, Olleman, Reese, Richards, Shoaff of Jay, Stivers, Stuckey, Whiteside, Woodruff, Woods and Wright—27

So the motion to reconsider did prevail.

The question then being on agreeing to the first section of the amendment reported by the minority of said Committee.

Messrs. Wright and Coffroth demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Branham, Burnes, Cook, Dunham, Emerson, Ferris, Goodman, Gregory of Montgomery, Groves, Henricks, Hershey, Hogate, Hoover, Kilgore, Lane, Miller of Tippecanoe, Montgomery, Olleman, Reese, Richards, Stivers, Stuckey, Whiteside, Woodruff, Woods and Wright.

Those who voted in the negative were,

Messrs. Atkinson, Abbett, Banta, Beckett, Bonner, Boyd, Brown, Buskirk, Chambers, Church, Coffroth, Cox, Croan, Crook, Foulke, Glazebrook, Gregg, Gregory of Warren, Griffith, Hargrove, Harrison, Hunt, Johnson, Lasselle, Lee, Lemon, Lockhart, Lopp, Milroy, McVey, Newcomb, O'Brien, Osborn, Patterson, Perigo, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Steward, Stringer, Thatcher, Trusler, Upson, White and Willis—52.

So the amendment was not agreed to.

The question being on agreeing to the second section of the amendment as reported by the minority of said Committee.

Messrs. Wright and Griffith demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Brown, Burns, Dunham, Emerson, Goodman, Gregory of Montgomery, Groves, Hamrick, Hershey, Hogate, Hoover Kilgore, Miller of Tippecanoe, Olleman, Reese, Richardson, Stuckey, Woodruff, Woods and Wright—21.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bonner, Boyd, Branham, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Ferris, Foulke, Glazebrook, Gregg, Gregory of Warren, Griffith, Hargrove, Harrison, Henricks, Hunt, Johnson, Lane, Lee, Lemon, Lockhart, Lopp, Miller of Clinton, Milroy, Montgomery, McVey, Newcomb, O'Brien, Osborn, Patterson, Perigo, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Steward, Stivers, Stringer, Thatcher, Trusler, Upson, White, Whiteside and Willis—59.

So the amendment was not agreed to.

The question then recurring on agreeing to the amendments as reported by the majority of said committee.

Mr. Olleman moved that the House do now adjourn,

Which was not agreed to.

Mr. Coffroth moved to amend as follows :

“ Strike out the words one-third, and insert the words one-fourth, were they occur, in lieu thereof; also, insert the words ‘and 1868,’ immediately after the figures 1867, in the first proviso, of the second section of the amendment recommended by the majority of the committee.”

Mr. Brown moved the previous question.

Which was seconded by the House.

The question being shall the main question be now put?

It was so ordered.

The question being on the amendment offered by Mr. Coffroth,

Messrs. Wright and Shuey demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Boyd, Branham, Brown, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Crook, Croan, Dunham, Ferris, Glazebrook, Gregg, Gregory of Warren, Griffith, Hargrove, Harrison, Henricks, Hoover, Hunt, Johnson, Kilgore, Lasselle, Lee, Lockhart, Miller of Clinton, Milroy, McVey, Newcomb, O'Brien, Osborn, Patterson, Perigo, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stewary, Stivers, Stringer, Stuckey, Thatcher, Trusler, Upson, White, Whiteside and Willis—59.

Those who voted in the negative were,

Messrs. Bonner, Burnes, Emerson, Foulke, Groves, Hamrick, Hoggate, Lane, Lemon, Lopp, Miller of Tippecanoe, Olleman, Rhoads, Rice, Woodruff, Woods and Wright—19.

So the amendment was agreed to.

Mr. Chambers moved that the House do now adjourn.

Which was not agreed to.

The question being on agreeing to the report recommended by the majority of said committee,

Messrs. Wright and Buskirk demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bonner, Boyd, Branham, Brown, Buskirk, Church, Coffroth, Cook, Cox, Croan, Crook, Dunham, Foulke, Glazebrook, Gregg, Gregory of Warren, Griffith, Hamrick, Hargrove, Harrison, Henricks, Hunt, Johnson, Lane, Lasselle, Lee, Lockhart, Miller of Tippecanoe, Milroy, McVey, Newcomb, O'Brien, Osborn, Patterson, Perigo, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Steward, Stivers, Stringer, Thatcher, Trusler, Upson, White, Whiteside, Willis and Woods—59.

So the report of the majority of the committee was agreed to.

Mr. Rice moved that the House do now adjourn.  
Which was not agreed to.

Senate bill No. 3 was then read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bonner, Boyd, Brown, Buskirk, Chambers, Church, Coffroth, Cox, Crook, Dunham, Foulke, Glazebrook, Gregg, Gregory of Warren, Griffith, Hargrove, Harrison, Hunt, Johnson, Lasselle, Lee, Lemon, Lockhart, Lopp, Milroy, McVey, Newcomb, O'Brien, Osborn, Patterson, Perigo, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Steward, Stivers, Stringer, Thatcher, Trusler, White and Willis—51.

Those who voted in the negative were,

Messrs. Bird, Branham, Emerson, Ferris, Gregory of Montgomery, Hamrick, Henricks, Hogate, Hoover, Kilgore, Lane, Miller of Clinton, Miller of Tippecanoe, Olleman, Reese, Rhoads, Richards, Stuckey, Woodruff, Woods and Wright—21.

So the bill passed.

Mr. Buskirk moved to amend the title as follows :

And making it unlawful after the quota of the State in the present call is filled, for Boards of County Commissioners or the municipal



authorities of incorporated towns and cities to pay any money out of their treasuries, or to issue any bonds, orders, or evidences of indebtedness to give bounties to volunteers, drafted men and substitutes.

Which was agreed to.

The title, as amended, was then adopted.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Coffroth moved that when the House adjourn, it be till tomorrow morning, 9 o'clock.

Which was agreed to.

Mr. Brown moved that the House do now adjourn.

Which was agreed to.

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THURSDAY MORNING, 9 o'clock, }  
February 23, 1865. }

The House met pursuant to adjournment.

Messrs. Goodman, Humphreys, Montgomery, Hershey, Meredith, Groves, and Petitt asked and obtained leave to record their votes in the negative on the passage of Senate bill No. 3, as of yesterday.

Messrs. Whiteside and Spencer asked and obtained leave to record their votes in the affirmative, on the passage of Senate bill No. 3, as of yesterday.

On motion,

The reading of Journal was dispensed with.

PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Branham,

A claim of J. D. Condit, for \$981 10.

Which was referred to the Committee on Claims..

By Mr. Buskirk,

A claim of J. E. McDonald, for \$150 00.  
Which was referred to the Committee on Claims.

By Mr. Coffroth,

A claim of Elder, Harkness & Bingham, for \$1,766 66 $\frac{1}{2}$ .  
Which was referred to the Committee on Claims.

By Mr. Stuckey,

A claim of Lewis M. Hays, for \$14 20.  
Which was referred to the Committee on Claims.

By Mr. Lane,

A petition from sundry citizens of Fulton county, Indiana, praying for an amendment to the Constitution.

Which was referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

By Mr. Kilgore,

A petition from sundry citizens, praying for the publication of the Reports of the State Board of Agriculture from the time the publication of said Reports was discontinued.

Which was referred to the Committee on Public Printing.

By Mr. Miller, of Tippecanoe.

A petition from sundry citizens of Tippecanoe county, Indiana, praying for the enactment of a law for the protection of fish.

Which was referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

By. Mr. Branham,

A memorial from Mr. Bramwell, President of Jefferson County Agricultural Society, in reference to certain damages therein claimed.

Which was referred to the Committee on Claims.

Mr. Stivers, obtained leave of absence on account of sickness.

By Mr. Brown.

A claim of James G. Root, as therein stated.

Which was referred to the Committee on Claims.

## REPORTS FROM STANDING COMMITTEES.

Mr. Rice, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred House bill No. 179, entitled a bill to amend section 1, of an act to incorporate the Trustees of the Indiana Female College, approved February 13th, 1851, respectfully report back said bill to the House and recommend its passage.

Which was laid on the table.

Mr. Rice, from the same Committee, made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred Senate bill No. 14, entitled an act to amend an act entitled "an act in relation to County Treasurers, approved June 14th, 1852, and declaring an emergency," respectfully report said bill back to the House and recommend its passage.

Which was laid on the table.

Mr. Rice, from the same Committee, made the following report :

MR. SPEAKER :

The Judiciary Committee to whom was referred House bill No. 153, entitled an act ratifying the action of the Governor in procuring an advance of two hundred and fifty thousand dollars from the President of the United States, for the preparation of troops for the service of the United States, and for the defence of the State, and directing him to pay the unexpended balance thereof into the Treasury, and to account therefor with the portion expended, to the President of the United States as an advance to the State, respectfully report said bill back to the House and recommend its passage.

Which was laid on the table.

Mr. Boyd, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred sundry claims for the several amounts and purposes hereinafter named, have had the same under consideration, and would recommend that they be allowed and referred to the Committee on Ways and Means, to be incorpora-

ted in the Specific Appropriation bill for payment. The claims are as follows to-wit:

Hogshire & Co., for the sum of six dollars for baskets for the use of the Legislature in 1865, also for the sum of forty dollars and thirty cents, for baskets saw-bucks &c., purchased by doorkeeper of Senate, for the session of 1865, also for the sum of five dollars for repairing chairs for the Senate during the session of 1863.

Case & Marsh, for the sum of one dollar for work done per order of the doorkeeper of the House, in 1865.

W. H. Drapier, for the sum of six hundred dollars for Brevier Legislative Reports furnished as per contract of 1863.

C. A. Ferguson, for the sum of twelve dollars and twenty-five cents for clock for Governor's room and cleaning clock in Senate chamber in 1862.

Joseph Reinhart, for the sum of sixteen dollars for keys furnished State House and repairs, in 1863.

R. Henninger for the sum of one hundred and forty-nine dollars and seventy-five cents for furnishing "Indiana Free Press" for the Legislature in 1863.

J. Reinhart, for the sum of eleven dollars and seventy-five cents for locks and keys for State House in 1863.

J. H. Frazier, for the sum of eleven dollars and seventy-five cents for repairing locks and desks in Representatives' Hall, in 1863.

Wm Braden, for the sum of thirteen dollars for articles furnished per order of State Librarian, in 1863.

Julius Boetticher for the sum of one hundred and sixty-eight dollars and forty-eight cents for copies of "Indiana Volksblatt" for use of members of House of Representatives, session of 1863.

Naoman Fletcher's estate, for the sum of twelve dollars and fifty cents for printing done in 1862.

Mr. Boyd moved that the report be referred to the Committee on Ways and Means, with instruction to incorporate the several sums in the Specific Appropriation bill.

Which was agreed to.

Mr. Veach, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred the petition of sundry citizens of Jefferson county, Indiana, asking indemnity for loss of property during the Morgan raid in 1863, have had the same under consideration, and would beg leave to report the petition back to the House, and ask that it be referred to the Committee on the Judiciary.

Which was concurred in.

Mr. Henricks, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred sundry claims for the several amounts and purposes hereinafter named, have had the same under consideration, and would recommend that they be allowed and referred to the Committee of Ways and Means, to be incorporated in the Specific Appropriation bill for payment.

The claims are as follows, to-wit :

McCord & Wheatley, for the sum of fourteen dollars and ninety cents, for fence posts, fencing, &c., for State House in 1863.

Thomas Barber, for the sum of one dollar and fifty cents, for paste furnished for use of State House, session of 1863.

Werden & Co., for the sum of nine dollars and fifty cents, for step-ladders used at State House in 1863.

J. McLene, for the sum of seventeen dollars, for stationery for the use of House, per Speaker Buskirk and Governor Dunning, for use in Senate in 1863.

Werden & Co., for the sum of five dollars, for step-ladder, for use of Secretary of State in 1863.

Fitchey & Anderson, for four dollars and fifty cents, for double locks, and repairing ventilation at State House in 1863.

J. B. Wilson, for the sum of thirteen dollars and fifty-five cents, for sundry articles used in fitting up State House in 1863.

On motion,

The report was referred to the Committee on Ways and Means, with instructions to incorporate the several amounts in the specific appropriation bill.

Mr. Henricks, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred the claim of George A. Bicknell, for \$100, for services as Judge in holding special terms of Courts in several counties outside of his district, have had the same under consideration, and have directed me to report, that in the opinion of your Committee the statutes of the State make, or should make all the provisions necessary, to enable Judges of Courts to collect their salaries, and that their pay should not be made objects of special legislation, and they recommend that the same be laid on the table.

Which was concurred in.

Mr. Thatcher, from the Committee on Fees and Salaries, made the following report :

MR. SPEAKER :

The Committee on Fees and Salaries, to whom was referred House bill No. 101, an act to entitle Recorders to their fees in advance, and allowing them compensation for keeping up entry book and general indexes, and repealing all laws inconsistent therewith, have had the same under consideration, and have directed me to report the bill back, and recommend its passage.

Which was laid on the table.

Mr. Humphreys, from the Committee on Fees and Salaries, made the following report :

MR. SPEAKER :

The Committee on Fees and Salaries, to whom was referred House bill No. 138, entitled "an act to amend an act to provide a Treasury System for the State of Indiana, for the manner of receiving, holding, and disbursing the public moneys of the State, and for the safe keeping of the public moneys," approved March 5th, 1859, approved March 1st, 1861, have instructed me, after due consideration, to report the same back to this House, and recommend its passage.

Which was laid on the table.

Mr. Patterson, from the Committee on Fees and Salaries, made the following report ;

MR. SPEAKER :

The Committee on Fees and Salaries, to whom was referred House

bill No. 114. A bill to amend section 1 of an act entitled, "an act relative to the salaries of public officers, and providing the means of paying the same, and reimbursing the State for income of salaries," approved March 5, 1859, have had the same under consideration, and respectfully report that the same lay on the table.

Which,

On motion,

Was concurred in.

Mr. Burnes, from the Committee on Rights and Privileges of the Inhabitants of the State, made the following report :

MR. SPEAKER :

The Committee on Rights and Privileges of the Inhabitants of the State, to whom was referred the petition of Thomas Hill, have had the same under consideration, and directed me to report it back, and recommend that the consideration thereof be indefinitely postponed, as legislation upon the subject matter of said petition it inexpedient.

Which,

On motion,

Was concurred in.

Mr. Lockhart, from the Committee on Railroads, made the following report :

MR. SPEAKER :

The Committee on Railroads, to was referred Senate bill No. 68, have had the same under consideration, and have instructed me to report the same back, and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Lockhart, from the Committee on Railroads, made the following report :

MR. SPEAKER :

The Committee on Railroads, to whom was referred House bill No. 30, have had the same under consideration, and have directed me to report the same back, with the following amendments, and when so amended, do recommend its passage.

1st. Amend by adding after the word "a" in the sixth line of section one, the following words: "passengers and;" also, in the ninth line of the same section, after the word "suitable" the words "passengers and;" also, in the 14th line of the same section, after the

word "freight," strike out the words "including cord wood;" also, in the 7th line of section 2, after the word "freight," strike out the words "including cord wood."

2d. Amend by adding after the word "rate," in the third line of section four, the following words; "than fifteen per cent. more."

3d. Amend by adding to said act, after section four, the following sections:

*Be it further enacted*, That no railroad company within this State, or that occupy and use any railroad or part thereof, shall be allowed to charge a greater rate of fare than  $3\frac{1}{2}$  cents per mile, on all distances over thirty miles, nor more than 4 cents per mile, on any less distance than thirty miles.

4th. *And be it further enacted*, That it shall not be lawful for any railroad company to make any increase in their tariff rates, until due notice has been given of such intended increase, for not less than thirty days, by notices posted in the several freight offices on the line of such railroad, and also published in at least one of the newspapers published in each of the several counties through which such road passes. And such intended increase of freight shall not in any wise apply to any freight that may be delivered upon the line of such railroad within the first twenty days after such notice shall have been given.

5th. Amend by adding after the word "last," in the third line of section five, stead of the word "two" add the word "four;" also, in the fifth line of the same section, after the word "than," the following words: "one hundred dollars, and not more than five hundred dollars."

Which,

On motion,

Was laid on the table.

Mr. Whiteside, from the Committee on Public Printing, made the following report:

MR. SPEAKER:

The Committee to whom was referred House bill No. 177, which is an act entitled, "an act amendatory of an act to provide for the publication of delinquent taxes, approved May 31, 1861, respectfully report the same back to the House, and recommend its passage.

Which,

On motion,

Was laid on the table.



Mr. Lockhart, from the Committee on Railroads, made the following report :

MR. SPEAKER :

The Committee on Railroads, to whom was referred House resolution No. 4, by Mr. Collins; also, House resolution No. 8, by Mr. Browne, both of the same import, have ordered me to report that a bill has been presented to the House in relation to the same.

Which,

On motion,

Was laid on the table.

Mr. Stivers, from the Committee on County and Township Business, made the following report :

MR. SPEAKER :

The Committee on County and Township Business, to whom was referred House bill No. 161, entitled "an act to amend section 10 of an act entitled an act regulating fees of officers, and repealing former acts in relation thereto, approved March 2d, 1855," have had the same under consideration, and instruct me to report, that in their opinion the increase of fees recommended in this bill is inexpedient, and they therefore recommend that the bill be indefinitely postponed.

On motion by Mr. Griffith,

The report was laid on the table.

Mr. Stivers, from the Committee on Fees and Salaries, made the following report :

MR. SPEAKER :

The Committee on Fees and Salaries, to whom was referred House bill No. 90, by Mr. Rhoads, entitled an act to amend the 3d section of an act regulating docket fees of District Attorneys in the Courts of Common Pleas, and before Justices of the Peace, and regulating Prosecuting and District Attorneys' fees for prosecutions on forfeited recognizances, approved June 4th, 1861, have had the same under consideration, and instruct me to report, that the increase in the salaries of Prosecuting Attorneys therein contemplated, is inexpedient, and they recommend that the bill be laid on the table.

Which,

On motion,

Was concurred in.

Mr. Riford, from the Committee on County and Township Business, made the following report :

H. J.—36

MR. SPEAKER :

The Committee on County and Township Business, to whom was referred House bill No. 109, "a bill to amend the 23d section of an act entitled an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of Township Assessors, and prescribe the duties of Assessors, Appraisors of Real Property, County Treasurers and Auditors, and of the Treasurer and Auditor of State, approved June 21st, 1852," have had the same under consideration, and respectfully report that the same lay upon the table.

Which,

On motion,

Was laid on the table.

Mr. Kilgore, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Committee on the Judiciary, to whom was referred an act entitled "an act to provide for the purchase of the stereotype plates and copy right of Gavin and Hord's Revised Statutes of Indiana, and the publishing of the laws of the present session, with said statutes, and a sufficient number to satisfy the demand therefor, and the sale thereof, and providing for the payment thereof," report that they have had the same under consideration, and respectfully request its passage.

Which,

On motion,

Was laid on the table.

Mr. Kilgore, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred House bill No. 140, entitled "an act ratifying the action of the Governor in settling and discharging the States' quota of direct tax levied by Congress in 1861, and authorizing him to settle all unsettled claims of the State against the United States," respectfully report back said bill to the House, and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Kilgore, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred House bill No. 127, entitled "a bill to amend section 445, of an act entitled 'an act to revise, simplify and abridge the rules, practice, pleadings and forms, in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18th, 1852, and to repeal all laws in conflict therewith,'" respectfully report back said bill to the House, and recommend that it be indefinitely postponed.

Which,

On motion,

Was concurred in.

Mr. Kilgore, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred House bill No. 150, entitled "an act prescribing the number of Senators and Representatives of the General Assembly of the State of Indiana," respectfully report said bill back to the House, and recommend that said bill be amended by striking out the words "twenty-five," in the 9th line thereof, and insert the words "thirty-three," and amend further by striking out the word "fifty," in the 10th line thereof, and insert the words, "Sixty-seven," and upon the adoption of said amendments, the Committee recommend the passage of the bill.

Which,

On motion,

Was laid on the table.

Mr. Kilgore, from the Committee on the Judiciary, made the following report.

MR. SPEAKER :

The Judiciary Committee, to whom was referred Senate bill No. 10, entitled "A bill to amend section 322 of an act entitled, 'an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity,'" approved June 18th, 1852, respectfully report back said bill to the House, and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Meredith, chairman of the Committee on Benevolent and Scientific Institutions, made the following report :

MR. SPEAKER :

The Committee on Benevolent and Scientific Institutions, to whom was referred the Resolution introduced by Mr. Shoaff of Jay, instructing said Committee to inquire into the expediency of so amending the act for the incorporation of Cities, as to authorize the Common Council of all Cities in this State, having a population of ten thousand inhabitants, or over, to establish a House of Refuge for the reformation of Juvenile offenders, have considered the same, and recommend that said act be amended as suggested by said resolution.

Which,

On motion,

Was laid on the table.

Mr. Sim, from the Committee on Military Affairs, made the following report :

MR. SPEAKER :

The Committee on Military Affairs, at the request of Adjutant General Terrell, have made an examination of his office, and beg leave to submit the following report :

The Adjutant General's office is one of the most important in the State Government, especially to the soldiers in the field, and to their representatives, relatives and friends.

The business of this office, and property belonging to it, has been and will continue to be immense, and the records for years to come will be of the greatest value. Independent of the State Militia, Indiana has furnished (not including volunteers raised under the present call of the President,) over 165,000 soldiers for the defense of the Union. All the records appertaining to this large force, properly belong to the Adjutant General's office, as well as of recruits, drafted men, and substitutes sent to old regiments and batteries, discharges, musters-out, &c.

Every vacancy, whether occurring by resignation, dismissal, death, discharge or expiration of term of service, must be filed and new commissions issued. A complete record must, or at least should, be made of every muster-roll of each company mustered into the United States service, so that a record, authentic and complete, would always be found, from which the friends of the soldiers of Indiana would always, for all time to come, be able to trace the history of their friends who have contributed to put down the rebellion.

We find that a vast amount of unfinished and deferred work has accumulated, much of it running back to the beginning of the war,

the records and rolls being incomplete, and the papers and files of the office being in a state of derangement and confusion.

This condition of things is mainly attributable to the great amount of business transacted through the office, and emergencies which have existed, rendering it impracticable to systematize, arrange, and complete the records promptly at the time. When the fact is considered, that independent of the "Legion," Indiana has furnished so large a number of volunteers for this war, and that all the records appertaining thereto belong to this office, it will not be regarded as strange that so large an amount of important work should have been laid over for future arrangement and record.

Your Committee would, therefore, recommend to the Legislature, that proper provision be made to enable the Adjutant General not only to keep up the current work of the office, but to bring up and complete the deferred work, and also to make out and cause to be published, as other public documents are published, a full and complete report of his office, which shall embrace a history of every officer and soldier from the State who has enlisted in the army of the United States during this war, and to this end, for the proper discharge of the labors of the office, and for the proper security of the papers in charge of the Adjutant General, your Committee would respectfully suggest that more suitable rooms be provided for this important branch of the Executive Department, and that such additional force be furnished as may be necessary to discharge the duties of the office as herein indicated.

Under the present law the rank and pay of the Adjutant General are not defined. This, we think, should be provided for. All appropriations from which money can be drawn for salaries and expenses of the office have been exhausted. It is absolutely necessary, therefore, that the Legislature make immediate provision for these demands.

Your Committee ask that this report be referred to the Committee on Ways and Means, with instructions to investigate the matters herein referred to, and report by bill or otherwise.

Which,

On motion.

Was referred to the Committee on Ways and Means.

Mr. Cox, from the Committee on Military Affairs, made the following report:

MR. SPEAKER:

The Military Committee, upon the invitation of Colonel W. H. Schlater, Military Secretary of the Governor, have examined the Military Secretary's office, and would beg leave to make the following report:

We have examined the office of the Military Secretary, and take

pleasure in reporting to the House that the arrangement and management of the same is complete in all its details, and that not only the soldiers in the field, but the State at large, is fortunate in having the services of so good an officer in that responsible position.

Which,

On motion,

Was laid on the table.

Mr. Foulke, from the Committee on Corporations, made the following report :

MR. SPEAKER :

The Committee on Corporations, to whom was referred House bill No. 149, ("a bill to enable the boards of directors of incorporated turnpike companies to change the time of holding elections,") have had the same under consideration, and report the same back to the House, and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Newcomb, from a Select Committee, made the following report :

MR. SPEAKER :

The Select Committee to whom was referred Senate bill No. 41, entitled "an act appointing Commissioners to sell certain real estate therein named, to provide a residence for the Governor of the State, and his successors, and to make him an allowance, in lieu thereof, until the same is provided, and matters properly connected therewith," have had the same under consideration, and have instructed me to report the same back to the House and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Kilgore moved to suspend the order of business and take up House bill No. 137.

Which was agreed to.

Mr. Kilgore moved to pass by the order of business until House bill No. 137 be produced in the House, as it was understood to be taken from the files by Mr. Brown.

Which was agreed to.

Mr. Coffroth moved that the House do now adjourn.

Which was not agreed to.

Mr. Branham obtained leave and introduced

House bill No. 187. A bill authorizing and requiring the Commissioners of the State Debt Sinking Fund to make settlement with the Sinking Fund Commissioners for \$422,000, War Loan Bonds purchased by Sinking Fund Commissioners, with monies belonging to the Common School Fund; also, the sum of \$165,000, monies belonging to the Common School Fund, advanced by the Sinking Fund to pay interest on the State debt; also, the sum of \$33,536.09, Saline Fund, and \$22,947 00, Bank Tax Fund; directing the transfer to the Common School Fund of the State of Indiana of so much of the two and one-half and five per cent. certificates of the stocks of this State, as will, at the price paid for the same, amount to the aggregate of the sums mentioned in this act; authorizing and directing the proper officers of State to issue a bond of the State for the amount thereof, bearing six per cent. interest, payable semi-annually, and principal payable and redeemable at the pleasure of the State; directing the Treasurer of State to pass to the credit of the General Fund the several amounts herein specified, and declaring that an emergency exists for the immediate taking effect of this act.

Which was read a first time, and referred to the Committee on Ways and Means.

By Mr. Whiteside,

House bill No. 188. A bill to authorize Boards of County Commissioners and County Auditors to enter upon the tax duplicate a discharge of taxes of soldiers for services rendered in the field.

Which was read a first time, and,

On motion,

Referred to a Select Committee of five.

By Mr. Lasselle,

House bill No. 189. A bill to amend section fifty-two, of an act entitled "an act to amend an act to authorize and regulate the business of General Banking, passed the House and Senate of the General Assembly, the Governor's objection thereto notwithstanding, on the 3d day of March, 1855."

Which was read a first time, and referred to the Committee on Banks.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representa-

tives that the Senate has passed the following engrossed bills thereof, to-wit:

Engrossed Senate bill No. 120. An act empowering District Prosecuting Attorneys to administer oaths in the discharge of their duties.

Engrossed Senate bill No. 145. An act providing compensation for Judges holding Courts of Common Pleas in certain cases.

Engrossed Senate bill No. 163. An act touching the laying out of cities, and additions thereto, and the making and recording of plats thereof, and legalizing plats of such cities, and additions thereto, heretofore made and recorded.

Engrossed Senate bill No. 158. An act in relation to the sale of real estate by executors, administrators, and guardians, in certain cases.

Engrossed Senate bill No. 180. An act authorizing the Auditor and Treasurer of State to sell certain swamp lands belonging to the State under the provisions of the General Swamp Land act.

Engrossed Senate bill No. 173. An act to enable the Board of Trustees of incorporated towns to authorize the use of portions of streets for shade and ornamental purposes.

Also,

Engrossed Joint Resolution No. 11 of the Senate, entitled "a Joint Resolution, requesting the Governor to appoint a suitable person to correct the Swamp Land books of the State of Indiana, in the office of the Auditor of State."

In which the concurrence of the House is respectfully requested.

By Mr. White,

House bill No. 190. A bill to amend section eight of "an act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2d, 1855.

Which was read a first time.

Mr. Harrison moved that it be deemed expedient to suspend the Constitutional rule requiring bills to be read on three several days, so that said bill be read a second time now.



The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Beckett, Bird, Buskirk, Coffroth, Griffith, Groves, Hargrove, Harrison, Hogate, Howard, Humphreys, Hunt, Johnson, Meredith, Miller of Clinton, Montgomery, McVey, Newcomb, O'Brien, Osborn, Patterson, Rice, Richards, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Spencer, Steward, Stuckey, Thatcher, Trussler, Veach, White, Whiteside, and Mr. Speaker—36.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Bonner, Boyd, Branham, Burnes, Cox, Chambers, Cook, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Henricks, Hershey, Hoover, Lane, Lasselle, Lemon, Lockhart, Lopp, Major, Miller of Tippecanoe, Milroy, Olleman, Perigo, Reese, Riford, Rhoads, Shuey, Stivers, Stringer, Upson, Willis, Woodruff, Woods and Wright—42.

So that it was not deemed expedient to suspend said Constitutional rule.

The bill was passed to a second reading on to-morrow.

By Mr. Chambers.

House bill No. 191. A bill requiring all Insurance Companies doing business in the State of Indiana to deposit with the Auditor of State, securities to the amount of fifty thousand dollars, defining the duties and prescribing the fees of the Auditor in relation thereto, and providing certain penalties for the violation by any officer or agent of the provisions of this act.

Which was read a first time and referred to the Joint Special Committee on Insurance Companies.

Mr. Rhoads, moved that five hundred copies of House bill No. 157, be printed for the use of the House.

Mr. Beckett, moved to amend by inserting 200 instead of 500.

The question being on printing 500.  
It was not agreed to.

The question being on printing 200.

Mr. Shuey, moved to amend by inserting three hundred copies.  
Which was agreed to.  
The motion as amended was then agreed to.

SPECIAL ORDER FOR THE DAY.

The hour having arrived for the consideration of the special order for the day, House bill No. 178. A bill to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties and matters properly connected therewith, and for the establishment and regulation of township libraries and to repeal all laws inconsistent therewith, was taken up.

Mr. Rhoads, moved that it be deemed expedient to suspend the Constitutional rule requiring bills to be read on three several days by sections, and that said bill be read by its title now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were.

Messrs. Atkinson, Bonner, Boyd, Branham, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Warren, Gregory of Montgomery, Griffith, Groves, Hershey, Hogate, Hoover, Johnson, Kilgore, Lane, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Reece, Rhoads, Rice, Riford, Shuey, Sim, Steward, Stivers, Stuckey, Trusler. Upson, Willis, Woodruff Woods and Mr. Speaker—46.

Those who voted in the negative were.

Messrs. Abbott, Beckett, Bird, Burnes, Buskirk, Coffroth, Croan, Dunham, Glazebrook, Hargrove, Harrison, Henricks, Howard, Humphreys, Hunt, Lee, Lemon, Lopp, Milroy, O'Brien, Osborn, Patterson, Perigo, Richards, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Spencer, Stringer, Thatcher, Veach and White—33.

So it was deemed expedient to suspend said Constitutional rule, and said House bill No. 178 was read a second time.

During the reading of said bill,

Mr. Brown, by unanimous consent, made the following report :

MR. SPEAKER :

The minority of the Committee on the Judiciary, to whom leave

was given to make a minority report in reference to House bill No. 137, ("entitled an act to enable the qualified electors of this State, and absent therefrom in the service of the United States to vote,") respectfully submit that the House recinded its order granting such leave before said minority of said Committee had reasonable time to make their report. Therefore they return said bill upon the order of the House, and say that they are unable to make their report, and have nothing further to submit.

JOHN R. COFFROTH,  
JASON B. BROWN.

Which was laid on the table.

Mr. Gregory, of Warren, offered the following resolution :

*Resolved*, That the present School bill (No. 178) be now considered in Committee of the Whole House for the purpose of allowing corrections and amendments, and adopting all such sections as need no amendments or correction.

Which was agreed to.

Mr. Rhoads moved that House bill No. 178 be referred to the Committee of the Whole House, and make it the special order for the day at 2 o'clock this afternoon.

Which was agreed to.

The Speaker announced the following Special Committee on House bill No. 188 :

Messrs. Whiteside, Abbett, Wright, Beckett and Church.

The Speaker laid before the House the following from the Stationery Clerk :

MR. SPEAKER :

As the resolution appointing a Stationery Clerk provides that he shall, at least one day before the adjournment of the House, make out and file with you the amount drawn by each member from this room, I would respectfully request that you give notice to the members that they may, at least two days before the House adjourns, draw all the stationery they may need, that I may be enabled to file the accounts as provided in said resolution.

A. J. CASTATER,  
*Stationery Clerk.*

Mr. Griffith, by unanimous consent, presented a claim of E. P. Spellman for \$76.

Which was referred to the Committee on Claims, without reading.

Mr. Kilgore, by unanimous consent, presented a claim of Edwin May, for a certain claim therein named.

Which was referred to the Committee on Claims, without reading.

Mr. Miller, by unanimous consent, presented a claim of Zebulon Baird for \$1,000.

Which was referred to the Committee on Claims, without reading.

Mr. Hogate, by unanimous consent, presented a claim of C. A. Woodbridge for \$12 70.

Which was referred to the Committee on Claims, without reading.

Mr. Newcomb, by unanimous consent, presented a claim of W. R. Holloway & Co. for \$183 50 and \$1,766 66 $\frac{2}{3}$ .

Which was referred to the Committee on Claims, without reading.

On motion by Mr. Griffith,  
The House adjourned.

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2 O'CLOCK, P. M.

The House met.

House bill No. 137 being next in the order of business, the same was taken up and read a second time.

Mr. Buskirk moved that the bill and amendments be made the special order for to-morrow, at 2 o'clock P. M.

Which was agreed to.

Mr. Newcomb moved to suspend the order of business, and take up engrossed Senate bill No. 41.

Which was agreed to.

Engrossed Senate bill No. 41. A bill appointing commissioners to sell certain real estate therein named, to provide a residence for the Governor of the State and his successors, and to make him an allowance in lieu thereof until the same is provided and matters properly connected therewith.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbott, Atkinson, Bonner, Boyd, Branham, Brown, Burnes,

Buskirk, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lane, Lasselle, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Reese, Rhoads, Rice, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stewart, Stivers, Stringer, Sullivan of Scott, Trusler, Upson, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—59.

Those who voted in the negative were,

Messrs. Beckett, Bird, Burton, Burwell, Collins, Croan, Glazebrook, Hargrove, Harrison, Howard, Humphreys, Hunt, Lee, Lemon. Lopp, Milroy, O'Brien, Osborn, Patterson, Peigo, Richards, Richardson, Roach, Spencer, Stuckey, Thatcher; Veach and White—28.

The question being, shall the title, as read, stand as the title of the bill?

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Trusler asked and obtained leave, to withdraw certain memorials in reference to House bill No. 59, in order to present them to the Senate.

Mr. Gregory, of Warren, called for the special order for the day.

Which was ordered.

The House then resolved itself into the Committee of the Whole, with House bill No. 178, under consideration. Mr. Buskirk in the chair.

After remaining in session for sometime, the Committee rose, and made the following report by its chairman:

MR. SPEAKER:

The Committee of the Whole House, to whom was referred House bill No. 178, have had the same under consideration, and direct me to report the same back, with the following amendments, and recommend their adoption, and ask to be discharged from a further consideration of the subject.

Amend—Sec. 1st, 4th line, strike out "one dollar," and insert "fifty cents."

In line three, strike out "one-fifth," and insert "eighteen cents on the one hundred dollars."

Insert in line 13, section 2d, after school fund, "and the fund derived from the sale of the Congressional township school lands, and the unsold Congressional township school land, at the reasonable value thereof, shall be denominated the Congressional Township School Fund."

Sec. 4, line 6, insert "school," before the word "trustee,"

Add to section five, at end: "*Provided*, that in incorporated cities and towns, there shall be three trustees, said trustees in cities shall be elected by the Common Council of the city, and in incorporated towns, by the Board of Trustees of such towns."

And that sections nine and one hundred and thirty-two be stricken out.

Which was laid on the table.

Mr. Branham moved that when the House adjourn, it be till 7½ o'clock, this evening.

Mr. Olleman moved to amend the motion, by making it 8½ o'clock, to-morrow morning.

Which was not agreed to.

The question recurring on Mr. Branham's motion, it was not agreed to.

Mr. Abbett moved that the use of this Hall be allowed the friends of Temperance for a Lecture this evening,

Which was agreed to.

On motion by Hamrick,  
The House adjourned.

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FRIDAY MORNING, 9 o'clock, }  
February 24th, 1865. }

The House met pursuant to adjournment.

On motion by Mr. Branham,

The reading of the Journal was dispensed with.

## REPORTS FROM STANDING COMMITTEES.

Mr. Newcomb, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred House bill No. 185, entitled, "an act to provide for the election of Directors of Corporations, and to prevent the dissolution and perfection of their franchises in certain cases," respectfully report back said bill to the House, and recommend its passage.

Which was laid on the table.

Mr. Whiteside, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred House bill No. 100, entitled "an act to amend section 397 of 'an act entitled, an act to revise, simplify, and abridge the rules, pleading, and practice and forms in civil cases in the Courts of this State,'" respectfully report back said bill, and recommend that it be laid on the table.

Which was laid on the table.

By Mr. Howard, by consent, presented a petition in behalf of Thomas S. Bellows, Sheriff of Clark county, in reference to a claim therein mentioned.

Which was referred to the Committee on Claims.

Mr. Rice, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred House bill No. 18, entitled, a bill to provide for publication of notice to, or service of summons on non-residents, on complaint of new trial, respectfully report back said bill to the House, and recommend its passage.

Which was laid on the table.

Mr. Rice, from the same Committee, made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred Joint Resolution No. 2, entitled, "Joint Resolution accepting the donation of public lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and the Mechanic Arts," made by act

of Congress, approved July 2, 1862, respectfully report back said Resolution, and recommend its adoption.

Which was laid on the table.

Mr. Whiteside, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred House bill No. 12, entitled, a bill to amend the first section of an act entitled, an act for the better protection of Religious Meetings, Agricultural Fairs, and other lawful assemblages of the people, approved March 3d, 1859, respectfully report back said bill to the House, and recommend the following proviso at the end of the first section :

*Provided*, This act shall not affect or apply to any person engaged in any lawful, permanent occupation, prior to the time of holding any such Religious Meeting, Agricultural Fair, or other lawful assembly, and upon the adoption of said amendment, the Committee recommend its passage.

Which was laid on the table.

Mr. Whiteside, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Committee to whom was referred House bill No. 107, beg leave to report the same back to the House and recommend its passage.

Which was laid on the table.

Mr. Griffith, by consent, presented the claim of Spiegel, Thoms & Co., for 2 dozen chairs, per J. H. Dooley, doorkeeper of the House of Representatives, at \$15.00 per dozen—\$30.00.

Which was referred to the Committee on Claims.

Mr. Gregory, Chairman of the Committee on Education, made the following report :

MR. SPEAKER :

The Committee on Education to whom was referred House bill No. 104, offered by Mr. Samuel Gregory of Montgomery county entitled an act to distribute the interest of the Agricultural Land Grant and for the acceptance of said land grant from Congress.

Your Committee would report that they are in favor of accepting said land grant at once, but your Committee are opposed to the



division of the interest of said land grant to the different Colleges in this State for the reason that the object of said grant would be defeated and the intent of Congress would not be carried out. Your Committee are fully satisfied that the intent of Congress was so fully expressed in the act donating said lands to the several loyal States, that there cannot arise any doubt on that subject. Your Committee recommend that said bill do not pass, but be indefinitely postponed.

Which was concurred in.

Mr. Coffroth, from the Committee on the Judiciary made the following report :

MR. SPEAKER :

The Judiciary Committee to whom was referred House bill No. 151, entitled an act to encourage the republication of Blackfoad's Reports, and appropriating money to pay for the same, respectfully report back said bill to the House and recommend its passage.

Which was laid on the table.

Mr. Coffroth, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Judiciary Committee to whom was referred Senate bill No. 5, entitled " a bill to amend section 601 of the act entitled an act to revise, simplify and abridge, the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18th, 1852, respectfully report back said bill to the House, and are of the opinion that legislation on the subject is unnecessary.

Which was laid on the table.

Mr. Coffroth, from the same Committee, made the following report :

MR. SPEAKER :

The Judiciary Committee to whom was referred Resolution No. 5, in reference to the distribution by the Clerks of the Circuit Courts of the Senate and House and Documentary Journals and acts of the General Assembly on hands in their offices, respectfully report back said Resolution to the House and recommend its passage.

Which was laid on the table.

Mr. Gregory, of Warren, from the Committee on Education made the following report :

H. J.—37

MR. SPEAKER:

The Committee on Education, to whom was referred House bill No. 24, offered by Mr. Rhoads of Vermillion county, in relation to the establishment of an Agricultural College and the acceptance from Congress of certain lands for the same. Your Committee would report that they are in favor of accepting said land grant at once but your Committee are opposed to the division of the interest of said land grant to different institutions of learning in this State for the reason that in the opinion of your Committee, the object of said grant would be defeated and the intent of Congress would not be carried out. Your Committee are fully satisfied that the intent of Congress was so fully expressed in the act donating said lands to the several loyal States that there cannot arise any doubt on that subject. Your Committee would recommend that said bill be indefinitely postponed.

The report was concurred in and the bill indefinitely postponed.

Mr. Henricks, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred sundry claims for the several amounts and purposes hereinafter named, have had the same under consideration, and would recommend that they be allowed, and referred to the Committee of Ways and Means, to be incorporated in the Specific Appropriation bill for payment. The claims are as follows, to-wit:

Merrill & Co., for the sum of five hundred and five dollars and forty cents, for stationery furnished for use of the House in 1865.

Robert Evans, for the sum of twenty-five dollars, for repairing chimneys at State House in 1865.

R. L. McOuatt, for the sum of nineteen dollars and seventy-five cents, for water-cooler, &c., for use in Stationery Room in 1865.

J. George Stiltz, for the sum of three dollars and seventy-five cents, for shovel and fork, session of 1865.

Merrill & Co., for the sum of three hundred and fifty-four dollars and sixty cents, for stationery for the use of the House of Representatives, session of 1865.

R. L. & A. W. McOuatt, for the sum of sixty two dollars and twenty-five cents, for stoves, buckets, &c., for use at State House in 1865.

Merrill & Co., for the sum of six dollars and twenty-five cents, for stationery for use of the Legislature, session of 1865.

Also, for the sum of nine hundred and four dollars and twenty cents, for stationery for use of the Legislature, session of 1865.

Speigel, Thoms & Co., for the sum of one dollar and fifty cents, for one table, use of Senate, 1864.

Which was referred to the Committee on Ways and Means, with instructions to incorporate the several sums in the Specific Appropriation bill.

Mr. Emerson, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred sundry claims for the various amounts and purposes hereinafter named, have had the same under consideration, and would recommend that they be allowed, and referred to the Committee of Ways and Means, and incorporated in the Specific Appropriation bill for payment. The claims are as follows:

Charles Mayer, for the sum of three dollars and sixty cents, for looking glass, hair brush, &c., session of 1865.

G. W. Fershee, for the sum of four dollars and twenty-five cents, for making iron pokers, repairing pokers, &c., 1865.

J. F. Senour, for the sum of five dollars and fifty cents, for lamp, coal oil, &c., session of 1865.

T. O. Hall, for the sum of forty-two dollars and seventy-five cents, for chairs for Senate and repairs made in 1864.

A. E. & W. H. Drapier, for the sum of sixty-six dollars, being a balance due on Brevier Legislative Reports, 1863.

Charles Mayer, for the sum of three dollars and eighty cents, for hair brush and comb, session of 1865.

Estate of J. R. Bracken, for the sum of three hundred dollars, for services rendered in making catalogue for State Librarian, in 1864.

C. C. Campbell, for the sum of one hundred and seventy-nine dollars, for expenses incurred in arresting fugitives from justice.

Bowen, Stewart & Co., for the sum of sixty-one dollars and seventy-two cents, for stationery furnished Superintendent of Public Instruction in 1863, 1864, and 1865.

Charles Mayer, for the sum of eight dollars, for looking glasses, combs, hair brushes, &c., in 1865.

Bowen, Stewart & Co., for the sum of four hundred and twenty-two dollars and twenty-seven cents, for stationery furnished for the use of the House in 1863.

Thomas Cole, for the sum of one hundred and twenty-three dollars, for services as Assistant Doorkeeper, session of 1863.

W. B. Matthews, for the sum of ninety-eight dollars and fifty cents, for arresting and conveying to Indianapolis, Ind., L. B. Calhoun, a fugitive from justice.

J. K. Grayson, for the sum of two thousand nine hundred and eighteen dollars and sixty-six cents, for services rendered as Agent of State in 1863, 1864, and 1865.

Which,

On motion,

Was referred to the Committee of Ways and Means, with instructions to incorporate the claims enumerated in the Specific Appropriation bill.

Mr. Major, from the Committee on Fees and Salaries, made the following report:

MR. SPEAKER:

The Committee on Fees and Salaries, to whom was referred House bill No. 1—"a bill to increase the salary of the Governor of the State of Indiana," have had the same under consideration, and report it back with the recommendation that it do lie on the table.

Which,

On motion,

Was laid on the table.

Mr. Branham presented the claim of A. P. Newkirk, for the sum of twenty-five dollars, for organizing Desk of Assistant Clerk in 1862.

Which,

On motion,

Was referred to the Committee on Claims.

Mr. Bonner, from the Committee on Sinking Fund, made the following report:

MR. SPEAKER:

The Sinking Fund Committee, to whom was referred the petition of John J. Smith, have considered the same, ask to report it back to the House, and recommend that said petition be referred to the Committee on Claims.

Which,

On motion,

Was referred to the Committee on Claims.

Mr. Cook, from the Committee on Rights and Privileges of the Inhabitants of the State, made the following report:

MR. SPEAKER:

The Committee on Rights and Privileges, to whom was referred the petition of Robert Heath and divers other citizens of this State, praying the passage of an act for the protection of fish, have had the same under consideration, and would respectfully recommend the passage of such an act as is prayed for by the petitioners.

Which,

On motion,

Was laid on the table.

Mr. Burnes, from the Committee on Rights and Privileges of the Inhabitants of the State, made the following report:

MR. SPEAKER:

The Committee on Rights and Privileges, to whom was referred House bill No. 174, have had the same under consideration, and would recommend the following amendment: Strike out all after the enacting clause, and insert the following:

"Section 1. That it shall be unlawful for any person or persons to catch or take fish in any lake, river, creek or stream, in the State of Indiana, except Lake Michigan, or the River Ohio, with any kind of seine, net or trap, or in any other manner, except with hook and line or gig.

"Section 2. Every person who shall catch or take any fish in any lake, river, creek or stream, in this State, except Lake Michigan and the River Ohio, with any seine, net or trap, or in any other manner, except with hook and line or gig, shall be deemed guilty of a misdemeanor, and fined not less than ten, nor more than one hundred dollars, in any Court of competent jurisdiction; *Provided*, that the catching of minnows with seine, net or trap, shall not be deemed unlawful.

"Section 3. An emergency exists for this act to take effect immediately, the same shall therefore take effect and be in force from and after its passage."

And when so amended, would recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Milroy, from the Committee on Agriculture, made the following report:

MR. SPEAKER:

The Committee on Agriculture, to whom was referred House bill No. 173, a bill to amend an act entitled "an act to encourage the destruction of wolves, approved June 9th, 1852," have had the same under consideration, and direct me to report the same back to the House, and ask that it may pass.

Which,

On motion,

Was laid on the table.

Mr. Lockhart, from the Committee on Railroads, made the following report:

MR. SPEAKER:

The Committee on Railroads, to whom was referred House bill No. 95, have had the same under consideration, and have instructed me to report the same back, with the following amendment, and when so amended, do recommend its passage. Amend section 1st, by adding the following:

"And any change so made by any railroad company, shall subject them to the payment of all damages that may be sustained by any parties from such change, to be recovered the same as other damages are now recovered.

Which,

On motion,

Was laid on the table.

Mr. Newcomb, from a Select Committee, made the following report:

MR. SPEAKER:

The Select Committee to whom was referred House bill No. 20, entitled "an act for the encouragement of agriculture, authorizing the Indiana State Board of Agriculture to purchase, hold and sell real estate, legalizing the purchase by the Board of certain lands in

Marion County, exempting the property of said Board from taxation, authorizing the County Treasurer of Marion County to refund certain taxes, and making an annual appropriation for the use of said Board," have had the same under consideration, and have instructed me to report the same back, with the following proposed amendment, and, when so amended, to recommend the passage of the bill, namely :

Amend Sec. 3 by striking out the word "in" in line 6, and insert in place thereof the word "for," and add at the end of said section the following: "And that the Treasurer of State shall refund to said State Board of Agriculture the amount of State taxes collected upon said real estate for the years aforesaid."

And further amend by striking out section 4 of said bill.

The amendments recommended by the Committee were severally read, and,

On motion,  
Adopted.

Mr. Buskirk moved to fill the blank in section 4 of said bill with one thousand dollars.

Mr. Olleman moved to amend the amendment of Mr. Buskirk by striking out "one thousand dollars," and inserting "fifteen hundred dollars."

Which was agreed to.

The question being, shall the section, as amended, stand as the 4th section of the bill?

It was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Boyd, Branham, Burnes, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Grégory of Montgomery, Gregory of Warren, Griffith, Hamrick, Henricks, Hershey, Hogate, Hoover, Howard, Johnson, Kilgore, Lockhart, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Olleman, Perigo, Rhoads, Rice, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stuckey, Trusler, Upson Veach, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—59.

Those who voted in the negative were,

Messrs. Abbett, Beckett, Brown, Burton, Collins, Goodman, Glaze-

brook, Groves, Hargrove, Harrison, Higgins, Humphreys, Hunt, Lane, Lee, Lemon, Lopp, O'Brien, Osborn, Patterson, Richards, Richardson, Roach, Stringer and Thatcher—26.

Mr. Newcomb moved to amend the title by inserting after the words "Marion County" the words "Treasurer of State."

Which was agreed to.

The question being, shall the title, as amended, stand as the title of the bill.

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Kilgore, from the Committee on Elections, made the following majority report :

MR. SPEAKER :

The Committee on Elections, to whom was referred the case of Thomas M. Hamilton, contestant against Cornelius J. Miller, contestee, wherein the contestant claims the seat now held by said Cornelius J. Miller in this House, as the Representative of Clinton County, Indiana, have had the matter under consideration, and a majority of said Committee have directed me to make the following report :

The majority which Mr. Miller received over Mr. Hamilton for Representative of Clinton County, at the October election, in 1864, was forty-two votes, as appear from the official election returns of said county.

The principal ground of contest is, that the votes returned for both parties from Michigan Township of said county ought to be taken from the whole number of votes returned for them respectively in said county, for the reason that the Inspector, Judges and Clerks of said election, in said township, were not sworn as required by law, and, in fact, were not sworn in any matter whatever on the day of said election, or before holding the same.

This allegation is sustained by the evidence, and not denied by the contestant. There is no proof that the officers, or any one of them, omitted to take the oath required by law, with the intention of committing fraud, or in any manner evading an honest and faithful discharge of their official duties. On the contrary, the evidence shows clearly that the omission was not intentional, but the result of forgetfulness.

The Committee believe, from the evidence, that the election was



onestly and fairly conducted, and that the mere omission to take the oath does not invalidate the election.

There were other grounds of contest, but the contestant did not insist that they were sufficiently established to entitle him to the seat of Mr. Miller.

The majority of the Committee are of the opinion, therefore, that Cornelius J. Miller was legally elected the Representative of Clinton county, and have ordered me to report accordingly.

They have also directed me to report the following resolution, and ask its adoption :

*Resolved*, That Thomas M. Hamilton, contestant, against Cornelius J. Miller, contestee, wherein the contestant has claimed the seat of said contestee in this House, as the representative of Clinton county, be allowed the same per diem, mileage and allowance for stationery, that are received by the members of this House, the same to be computed to this date, to be drawn from the Treasury in the same manner that the same is drawn by the members of this House.

Mr. Shuey, from the same Committee, made the following minority report :

MR. SPEAKER :

The undersigned, members of the Committee on Elections, to whom was referred the memorial of Thomas M. Hamilton, contesting the seat of Cornelius J. Miller, as the Representative of the county of Clinton in the General Assembly of the State of Indiana, respectfully present the following views.

At the General Election in the State of Indiana, held on the 11th day of October, 1864, Cornelius J. Miller and Thomas M. Hamilton were candidates for Representative in the county of Clinton, in the State of Indiana. Cornelius J. Miller, the contestee, received at that election fifteen hundred and nine votes, and Thomas M. Hamilton, contestor, received fourteen hundred and sixty-seven votes.

It appearing to the proper officer, that Mr. Miller had received a majority of forty-two votes, he was furnished his certificate of election, as such Representative.

On the 17th day of October, 1864, the contestor filed with the Clerk of said County a written statement, verified by his affidavit, containing the grounds of his contest, and on the 19th day of October, 1864, the contestee acknowledged notice of said contest; but, as appears from the papers, his answer to the notice of contest was filed on the 28th day of October, 1864.

However, it is believed that substantially all the provisions of the act of the General Assembly of the State of Indiana, approved May 10th, 1852, have been complied with by both parties.

The written statement of the contestor, Mr. Hamilton, contains two grounds of contest.

First. That the votes returned for both parties from Michigan township ought to be deducted from the whole number of votes returned for them respectively in said County, for the reason that the Inspector, Judges and Clerks of the election, in said township, were not sworn as required by the Statute of Indiana; and in fact, were not sworn in any manner whatever on the day of said election.

Second. Illegal votes. The undersigned desire particularly to call attention to the first ground of contest. The Statute of Indiana requires that—

“Section 7. Before any election shall be opened, the Inspector and Judges shall each make oath to support the Constitution of the United States and of this State, to faithfully and impartially discharge the duties assigned by law; that they will not knowingly permit any person to vote who is not qualified, and knowingly refuse the vote of any qualified elector, or cause any delay to persons offering to vote, further than is necessary to procure satisfactory information of the qualifications of such as an elector.

“Sec. 8. If no person present is authorized by law to administer the oath of office, the Inspector shall administer the same to the Judges, and one of such Judges shall then administer said oath to the Inspector.

“Sec. 9. The Inspector shall be Chairman of such Board, and before the reception of any votes, shall administer an oath to each of the Clerks of the election, that they will faithfully discharge their duties. After the organization of the Board of Judges, the Inspector may administer all necessary oaths, which may be required in the discharge of their duties.”

By an examination of the testimony it will be seen that these provisions of the statute were wholly disregarded, and that neither Inspector, Judges, or Clerks of this election in Michigan Township were sworn.

It is true that seven days after the election one or more of these officers were sworn, but it certainly will not be contended that if the failure to administer the oath, as prescribed by the statutes, is fatal that such failure can be remedied in this manner.

It being established by the evidence, and admitted by Mr. Miller, the contestee, that the Inspector, Judges and Clerks were not sworn, it remains to be considered what effect this omission or violation of the statutes will have upon the oath of said Township. The undersigned have carefully considered the statutes of the State, as well as the law governing such cases, and are of the opinion that the entire vote of Michigan Township, in the county of Clinton, should be rejected, and the votes returned for each of the parties in this contest should be deducted from their aggregate vote in the county.

In coming to this conclusion the undersigned are aware that it has been held that mere irregularity or informality will not invalidate an election, provided the election itself was fairly and legally conducted; but the undersigned submit that there is a clear distinction between the returns of an election and the election itself.

"The election is the choosing of their representatives by the people, in accordance with law, whilst the returns are mere evidence of the result, as furnished by the officers, consisting of certificates and Boards' commissions.

The election is the great fact, of which the returns are the mere legal evidences; and while the undersigned do not wish to controvert the fact that, in repeated instances, it has been decided that notwithstanding the returns were informal, and the acts of the officers irregular, still the validity of the election was not affected thereby, we do insist that when the election itself is inquired into, that every requirement of the law, essential to the validity of the election, must be strictly observed, and if such requirements are not observed the election in such cases is wholly invalid.

The times, places, and modes of holding, and the qualifications of its officers, as prescribed by law, are, in our judgment, absolutely necessary to the validity of an election, and unless they are all observed there can not be any election whatever.

As for instance, if an election be held at a different time from that designated by the proper authorities, or at a different place; or if the vote is *viva voce*, when it should be by ballot; notwithstanding the election in every other respect is proper and legal, the election itself would be invalid because of these omissions, or any one of them. As this is true as to times, places, and modes, we think it equally true as to the qualifications of the officers of the election.

In this opinion the undersigned claim that they are sustained by precedent. On pages 71 and 72 of Cushing's Law and Practice of Legislative Proceedings, it is declared: "In this country the rule appears to be, that persons assuming to be returning officers, and acting as such, are presumed to be legally elected, and to be duly qualified for the discharge of their duties, until the contrary is made to appear; in such case their proceedings in relation to the elector will be set aside."

"It is the invariable practice, therefore, with us, to allow the authority and qualifications to be inquired into; and if it appears that persons assuming to act as such are not duly elected, the proceedings of the persons thus assuming, will be void."

And again, in the case of *Jackson vs. Wayne*, in contested election cases, page 47, it was held "when the law required the election to be held by three magistrates; an election held by three persons, two of whom were not magistrates, should be set aside.

And again, "When the selectmen are returning officers, an election is conducted by persons who are not duly elected selectmen, the proceedings of the persons thus assuming to act will be void."

And again, in the contested election case of *Blair vs. Barret*, the committee held that the precedents of Congress justify "the rejection of polls, when the Judges of Election or Clerks neglected or refused to take the prescribed oath of office." In support of this opinion, the majority of the committee in that report referred to the cases of *McFarland vs. Purviance*, Contested Election Cases, page 131, *McFarland vs. Culpepper*, *ibid* 221, *Easton vs. Scott* 281.

In the case of *Joseph Drapier vs. Charles C. Johnston*, in the 22d Congress Contested Election Cases page 701, the Committee of Elections held as follows: "The neglect by the Sheriff, or other officer conducting the election, to take the oath required by law, vitiates the poll for the particular precinct or county, and the whole vote of the precinct or county are to be rejected. The presumption is that the oath required has been taken; every officer being presumed to have done his duty; but as the law of Virginia requires that the oath shall be duly returned by the Magistrates before whom it is taken, and filed in the Clerk's office a certificate from the Clerk that no such oath is filed, will be sufficient *prima facie* (notice of the objections being personally served upon the opposite party,) to throw the burden of proof upon the party claiming the oath."

In this case, the law of Indiana does not require the oath to be returned, hence the *onus* is upon the part of the contestor, to show that the officers were not sworn, as he has alledged in his verified statement. This has been proven beyond controversy, and besides, it is admitted by the contestor, that the Inspector, Mr. Douglass, was not sworn as Inspector at this election. In accordance, therefore, with the ruling of the Committee of Election, in the case of *Drapier vs. Johnston*, the undersigned are justified in rejecting the entire poll of Michigan township.

In the case of *McFarland vs. Culpepper*, above referred to, the testimony established that in some of the counties, the officers were sworn after the election, in other counties not sworn at all. The depositions proved the fact that the Inspectors were not sworn. The House upon this report declared the election void.

In the case now under consideration, the depositions establish the same facts as to Michigan township, and that, therefore, the vote of that township should be rejected, but as to the vote in the other townships, no complaint is made, and they should stand as returned.

The undersigned are aware that numerous decisions in courts of law may be referred to establish the position that statutes like this in Indiana, are merely advisory and not imperative in their character, that the fact that Inspectors and Judges were not sworn, will not invalidate an election, &c.

While the undersigned are not disposed to controvert that courts have so decided, nevertheless, we think there is a broad distinction between the powers and duties of courts of law and legislative bodies in respect to contested election cases. In one of the decisions, commonly referred to, the Judge in giving his opinion, said: "The result of an election, when controverted in court, is like a judgment sued upon. We have no power to reverse it for errors in conducting it, and thus give those concerned in it a re-trial."

While this is true of courts of law, it is not true of this House, or of any other legislative body. By the Constitution, this House is judge of the election qualifications and returns of its own members, and has the power to go behind the returns, and review the whole

election, and set it aside if the House think proper. Hence decisions made by the courts cannot apply to this House nor control its action.

It appears that in Michigan township, Cornelius J. Miller received 185 votes, and that Thomas M. Hamilton received 127 votes. Rejecting the entire vote of Michigan township, and the vote of Miller in the county will be 1,324, and for Hamilton 1,340, thus leaving Hamilton a majority of sixteen (16) votes. The undersigned, therefore, recommend the adoption of the following resolutions:

*Resolved*, That Cornelius J. Miller is not entitled to a seat in the General Assembly of the State of Indiana, as a Representative from the county of Clinton, in said State.

*Resolved*, That Thomas M. Hamilton is entitled to a seat in the General Assembly of the State of Indiana, as a Representative from the county of Clinton, in said State.

The question being on the adoption of the minority report of the Committee.

Mr. Buskirk, demanded the previous question.  
Which was seconded.

The question being, shall the main question be now put?  
It was agreed to.

The question being on concurring in the report of the minority of the Committee.

Messrs. Buskirk and Brown, demanded the ayes and noes.

Those who voted in the affirmative were,

Gregory of Montgomery, Hershey and Hogate—3.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Beckett, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burton, Buskirk, Chambers, Church, Coffroth, Collins, Cook, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Higgins, Hoover, Howard, Humphreys, Hunt, Johnson, Kilgore, Lane, Lasselle, Lee, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Rice, Rhoads, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen,

Shoaff of Jay, Shuey, Sim, Spencer, Steward, Stringer, Stuckey, Thatcher, Trusler, Upson, Veach, White, Whiteside, Willis, Woodruff, Wright and Mr. Speaker—79.

So the report was not concurred in.

The question then recurring on concurring in the report of the majority of the Committee.

The same was concurred in.

Mr. Stringer, from the Committee on Roads, made the following report :

MR. SPEAKER :

The Committee on Roads, to whom was referred Senate bill No. 65, have had the same under consideration and direct me to report said bill back to the House and recommend its passage without amendment.

Which was laid on the table.

Mr. Hogate, by consent, offered the following resolution :

*Resolved*, That James Russell and Robert Morrow, furnance men below, be allowed pay from the 5th January, they having been on duty since that time.

Which was agreed to.

#### BILLS INTRODUCED.

By Mr. Hershey,

House bill No. 192. A bill to amend the eighth section of an act entitled "an act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws controvening with the provisions of this act, and prescribing penalties for violation thereof," approved March, 5, 1859, so as to prescribe penalty for the violation of said eighth section.

Which was read a first time and referred to the Committee on Temperance.

By Mr. Johnson,

House bill No. 193. A bill for the benefit of soldiers and marines in reference to losses assessed to raise bounties.

Which was read a first time.

Mr. Buskirk moved to refer the bill to the Committee on the Judiciary.

Mr. Brown moved the following as instructions to said Committee:

“Amend the bill so it will only apply to privates and non-commissioned officers.”

Which was agreed to.

The bill was then referred to the Committee on the Judiciary.

By M. Coffroth,

House Bill No. 194. A bill to amend the 33d section of an act to repeal all general laws now in force for the incorporation of cities, prescribe their powers and rights and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto.

Which was read a first time and referred to the Committee on Corporations.

By Mr. Miller, of Tippecanoe.

House bill No. 195. A bill to amend an act entitled “an act to provide a Treasury system for the State of Indiana, for the manner of receiving and disbursing the public monies of the State and for the safe keeping of the public monies,” approved March 1st, 1859, and declaring an emergency.

Which was read a first time and passed to a second reading.

By Mr. Newcomb,

House bill No. 196. A bill to extend the time allowed by law for the completion of gravel roads for the time of one year, in cases herein specified.

Which was read a first time, and,  
Referred to the Committee on Corporations.

By Mr. Kilgore,

House bill No. 197. A bill to provide for the purchase of the stereotype plates and copy right of Gaven & Hord's Revised Statutes of Indiana, and the publishing of the laws of the present session with said Statutes, and a sufficient number to supply the demand therefor, and the sale thereof, and providing for the payment thereof.

Which was read a first time, and passed to a second reading.

By Mr. Beckett,

House bill No. 198. A bill fixing the salaries of Judges of the Supreme Court of the State of Indiana, of Judges of the several Circuits and Common Pleas Judges thereof, and also to regulate the fees of Prosecuting Attorneys, in certain cases.

Which was read a first time, and passed to a second reading.

Mr. Branham moved to suspend the order of business, and take up House bill No. 179.

Messrs. Brown and Thatcher demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Johnson, Kilgore, Lane, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Osborn, Rhoads, Rice, Riford, Sabin, Shuey, Steward, Stringer, Trusler, Upson, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—49.

Those who voted in the negative were,

Messrs. Abbett, Beckett, Bird, Brown, Burton, Buskirk, Croan, Glazebrook, Hargrove, Harrison, Howard, Humphreys, Hunt, Lassel, Lee, Lemon, Lopp, Miller of Clinton, Milroy, O'Brien, Osborn, Patterson, Richards, Richardson, Roach, Shoaff of Allen, Spencer, Stuckey, Thatcher, Veach and White—33.

So the order of business was not suspended.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate, to inform the House of Representatives that the Senate has passed the following engrossed bill thereof to-wit:

Senate bill No. 15. A bill appointing a Commissioner to adjust the claims of citizens for damages and losses sustained by reason of the raid of the rebel forces, under the command of John Morgan, in July, 1863, and caused by organizing and equipping troops to repel the threatened invasion of the State by the rebel forces under the command of Adam Johnson, in the summer of 1864; prescribing some of their duties; providing for the payment of the claims adjusted by said Commissioner, and matters properly connected therewith.

In which the concurrence of the House is respectfully requested.



## ORDERS OF THE DAY.

House bill No. 178. was taken up. The question being on adopting the first amendment reported by the Committee of the Whole,

Mr. Coffroth moved that it be laid on the table.  
Which was not agreed to.

The first amendment was agreed to.

The question being on adopting the second amendment,

Mr. Buskirk moved to strike out "eighteen" and insert "twelve."

Messrs. Buskirk and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Brown, Burton, Buskirk, Collins, Goodman, Griffith, Groves, Hargrove, Harrison, Higgins, Howard, Humphreys, Hunt, Lasselle, Lee, Lemon, Lopp, Miller of Clinton, O'Brien, Osborn, Perigo, Richards, Richardson, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Spencer, Stuckey, Thatcher, Veach, White, Whiteside and Wright—35.

Those who voted in the negative were.

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Burnes, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Glazebrook, Gregory of Montgomery, Gregory of Warren, Hamrick, Henricks, Hershey, Hogate, Hoover, Johnson, Kilgore, Lane, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Patterson, Rhoads, Rice, Riford, Shuey, Steward, Stringer, Trusler, Upson, Willis, Woodruff and Woods—49.

So the amendment was not adopted.

Mr. Lane moved to strike out "eighteen" and insert "sixteen."  
Which was agreed to.

The second amendment was then agreed to.

The third and fourth amendments, as reported by the Committee, were then agreed to.

Mr. Miller, of Tippecanoe, offered the following amendment:

"The Common Council of each incorporated city, and the Board H. J.—38.

of Trustees of each incorporated town of this State, shall, at their first regular meeting in the month of April of the present year, and biennially thereafter, appoint three School Trustees, who shall, before entering upon the duties of their office, take and subscribe on oath, and give bond similar to the oath and bond required of Township Trustees, and such Trustees shall be allowed such reasonable compensation per diem for their services, as to the authorities of such incorporated cities and towns may be deemed just, to be paid out of the special school tax raised in such cities and towns."

Mr. Dunham moved to amend section 5, by striking out "three Trustees," and inserting "one Trustee."

Which was not agreed to.

The question then being on the amendment offered by Mr. Miller,

It was agreed to.

The question being on agreeing to the sixth amendment, as reported by said Committee, on striking out the ninth section,

Mr. Dunham moved to amend by striking out all after the word "schools," in fourth line of ninth section.

Which was agreed to.

The question being on agreeing to the recommendation of the Committee of the Whole, to strike out the one hundred and thirty-second section?

It was not agreed to.

Mr. Chambers moved that the House do now adjourn.

Which was not agreed to.

Mr. Coffroth moved to amend the 10th section, in line three, by inserting before "children," the word "white."

Pending which,

On motion by Mr. Chambers,

The House adjourned.

2 o'clock, P. M.

The House met.

Mr. Branham moved a call of the House.  
Which was ordered.

The Clerk proceeded with the call, when the following members answered to their names:

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Branham, Burnes, Buskirk, Chambers, Church, Coffroth, Collins, Cook, Cox, Croan, Emerson, Ferris, Glazebrook, Gregory of Montgomery, Gregory of Warren, Groves, Hargrove, Harrison, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, Johnson, Kilgore, Lane, Lasselle, Lee, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Steward, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—77.

On motion by Mr. Milroy, the further call was dispensed with.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House, that the Senate has concurred in House bill No. 8, entitled "a bill providing for the taxing of dogs, and providing a fund for the payment of damages sustained in the maiming or killing of sheep by dogs, and providing penalties for the violation of any of the provisions of said act by officers and others; and, also, repealing an act to license dogs, approved March 11, 1861, and providing that nothing in this act shall be so construed as to conflict with the provisions of an act entitled 'an act for the protection of sheep,' approved June 15, 1852"—with the accompanying engrossed amendments.

In which the concurrence of the House is respectfully requested.

I am further directed to return to the House, for the signature of the Speaker, enrolled act of the Senate No. 41, entitled "an act appointing commissioners to sell certain real estate therein named; to provide a residence for the Governor of the State and his successors, and to make him an allowance in lieu thereof, until the same is provided and matters properly connected therewith."

## SPECIAL ORDER FOR THE DAY.

The hour having arrived for the consideration of House bill No. 137, with pending amendments thereto,

Mr. Buskirk moved to postpone said special order till 7 o'clock this evening.

Which was not agreed to.

House bill No. 137. A bill providing for voting by electors of the State absent in the military or naval service of the United States directing the methods by which it shall be done, and prescribing punishment for violating any of the rights and privileges secured by this act.

Mr. Pettit moved to amend as follows:

"Strike out the last word "of," in line five, of section third; also inclose in parenthesis the words between "township" and "of," in ninth line of same section. Also, insert a parenthesis after the word "belongs," in the eighteenth line of said section. Also, the word "port" instead of "post," in nineteenth line of same section. Also insert "port" instead of "post," in fifth line of fifth section. Also by inserting in third line of eighth section the words, "accompanying instrument," instead of "attached instruments." Also, in the first line of section fourteen, strike out the word "the," before the word "State." Also, insert the word "be" after the word "shall," in the sixth line of fourteenth section. Also, insert the word "the" after the word "into," in third line of section seventeen."

Which were agreed to.

Mr. Brown moved further to amend by inserting in the seventh line of fourteenth section, after the word "Governor," the following "Attorney General, Auditor, Treasurer, and Secretary of State."

The question being on said motion,

Messrs. Brown and Thatcher demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Beckett, Bird, Brown, Burwell, Buskirk, Collins, Croan, Glazebrook, Hargrove, Harrison, Howard, Humphreys, Hunt, Lasselle, Lee, Lemon, Lopp, Miller of Clinton, Milroy, O'Brien, Osborn, Patterson, Perigo, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Spencer, Stuckey, Sullivan of Scott, Thatcher, Veach, and White—35.

Those who voted in the negative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burnes, Church, Cook, Cox, Crook, Emerson, Ferris, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lane, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Steward, Stringer, Trussler, Upson, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—48.

So the amendment was not adopted.

Mr. Buskirk moved to strike out, in section fourteen and line two, the word "annual," and insert that of "October."

Mr. Pettit moved further to amend by striking out the word "annual," in section third, seventh line, and inserting the word "October."

Which was accepted by the mover.

The motion, as amended, was then agreed to.

The question being on agreeing to the amendments recommended by the Committee

Mr. Abbett moved a call of the House.

Which was ordered.

The Clerk proceeded with the call, when the following members answered to their names:

Messrs. Atkinson, Beckett, Bird, Bonner, Boyd, Branham, Burnes, Burwell, Buskirk, Chambers, Collins, Cook, Cox, Croan, Emerson, Ferris, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, Johnson, Kilgore, Lasselle, Lee, Lemon, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Rhoads, Rice, Richards, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Steward, Stenger, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Whiteside, Woodruff, Woods, Wright and Mr. Speaker—70.

On motion by Mr. Buskirk,  
The further call was dispensed with.

The question being on agreeing to report of the Judiciary, as amended.

Mr. Groves moved the previous question.  
Which was seconded by the House.

The question being, shall the main question be now put?  
It was so ordered.

The question being, on adopting the amendments aforesaid,  
They were agreed to.

Mr. Groves moved that the bill be considered as engrossed, and read a third time now.

Messrs. Dunham and Thatcher demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Boyd, Bonner, Branham, Burnes, Chambers, Cook, Cox, Crook, Church, Emerson, Ferris, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lane, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Steward, Stringer, Trusler, Upson, Whiteside, Willis, Woodruff, Woods, Wright, and Mr. Speaker—51.

Those who voted in the negative were,

Messrs. Abbett, Beckett, Bird, Brown, Burwell, Buskirk, Collins, Croan, Dunham, Glazebrook, Hargrove, Humphreys, Hunt, Lee, Lemon, Lopp, Miller of Clinton, Milroy, Osborn, Perigo, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Spencer, Stuckey, Thatcher, Veach, and White—29.

So the bill was considered engrossed, and read a third time.

The question being shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lane, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Steward, Stringer, Trusler, Upson, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—51.

Those who voted in the negative were,

Messrs. Beckett, Bird, Burwell, Buskirk, Croan, Dunham, Glazebrook, Hargrove, Humphreys, Lee, Lemon, Lopp, Miller of Clinton, Osborn, Perigo, Richards, Roach, Shoaff of Jay, Stuckey, Thatcher, and Veach—21.

The question being, shall the title. as read, stand as the title of the bill.

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Buskirk,  
The House adjourned.

SATURDAY MORNING, 9 o'CLOCK, }  
February 25th, 1865. }

The House met pursuant to adjournment.

On motion by Mr. Montgomery,

The reading of the Journal was dispensed with.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. Howard,

A memorial from W. G. Hemrich, in reference to certain allowances to the prisoners in the Southern prison.

Which was referred to the Committee on State Prison South.

My Mr. Lopp,

A petition from sundry persons of Harrison county, asking pay for certain damages sustained by the Morgan raid.

Which was referred to the Committee on the Judiciary.

By Mr. Branham,

Sundry claims of William Braden for the following amounts: \$655, \$625, \$488.75, \$119.25.

Which were referred to the Committee on Claims, with outreading.

By Mr. Branham,

Sundry claims of William Braden, for the following amounts: \$1154.72, \$565.85, \$50.55, \$170.19, \$10.35, \$25.00, \$29.02, \$2838.32, \$33.00.

Which were referred to the Committee on Claims, without reading.

By Mr. McVey,

A petition from sundry citizens of Marion county, praying that a law may be passed which will effectually suppress the sale of intoxicating liquors within this State.

Which was referred to the Committee on Temperance.

By Mr. Newcomb,

A claim of George W. Pitts \$240.00. Also, that of Messrs. Cox & Brandt, for \$9.00.

Which were referred to the Committee on Claims, without reading.

By Mr. Coffroth,

A remonstrance remonstrating against the enactment of a law making it a penal offense for any person to give medicine and charge therefor, unless said person has a diploma from some Medical College or from a Board of Medical Censor.

Which was laid on the table.

By Mr. Chambers,

A petition from sundry citizens of Henry county praying that a law may be enacted which will effectually suppress the sale of intoxicating liquors in this State.

Which was referred to the Committee on Temperance.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Henricks, from the Committee on Banks, made the following report:

MR. SPEAKER:

The Committee on Banks, to whom was referred House bill No.



189. An act to amend the 52d section of the General Banking Law<sup>2</sup> have had the same under consideration and have directed me to report the same back to the House and recommend its passage.

Which was laid on the table.

Mr. Church, from the Committee on Swamp Lands, made the following report :

MR. SPEAKER :

The Committee on Swamp Lands, to whom was referred House bill No. 23, entitled an act to provide by law for draining and ditching low wet, and overflowed land in the State of Indiana, have had the same under consideration and direct me to report the following amendments thereto, and when so amended recommend its passage.

1st. Amend section 1 by striking out "thereof" in third line and inserting "one." Amend section 2d in second line by adding the following after the word shall. "Publish three consecutive weeks in a newspaper of general circulation printed in said county if there be one and."

2d. Amend by striking out section 5 and adding to section 4 the words "and file the same with the Auditor of said county."

3d. Amend section 6 by adding after the word shall in the 3d line, "if after considering objections thereto, presented to them by remonstrance or otherwise, they find the work to be of public utility."

4th. Amend section 6 after word "work" in 7th line by saying "and payment of such damages as may be assessed if any." All of which is respectfully submitted.

Which was laid on the table.

Mr. Riford, from the Committee on Swamp Lands, made the following report :

MR. SPEAKER :

The Committee on Swamp Lands to whom was referred House bill No. 50, a bill to authorize and provide for damage, &c., have had the same under consideration and direct me to report the same back to the House and recommend that it lie on the table.

Which was concurred in.

Mr. Church, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Swamp Lands, to whom was referred House bill number 81, a bill to amend section 2 of an act entitled, an act to enable the owners of wet lands to drain and reclaim them, &c., approved March 7th, 1863, have had the same under consideration, and direct me to report the same back to the House, and recommend its passage.

Which was laid on the table.

Mr. Henricks, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred the claim of Talbott and Costigan for \$5,292 50, for material left at the Northern State Prison, have had the same under consideration, and after having examined the same attentively, have directed me to report that in the opinion of your Committee, the amount charged by said parties was intended and understood by the Legislature of 1861, to be included and settled in an act passed at the session of 1861 rescinding the contract with the said parties, and providing for the payment of the amount due them ; and to further recommend that the said claim be laid upon the table. Your Committee further state to the House, that the claim is returned in the written request of the Messrs. Talbott and Costigan herewith submitted.

Which was laid on the table.

Mr. Veach, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred the claim of Morrison and Ray, for the sum of one thousand dollars, Attorney fees in case of Mary J. Jamison and others, vs. the Trustees of the Indiana Institute for the education of the blind, have had the same under consideration, and would beg leave to report it back to the House, and recommend that it lay on the table ; also, sundry communications from the same parties have been considered, and the Committee would beg leave to report said communications back to the House, and recommend that they lay on the table.

Mr. Newcomb moved to refer said claim to the Committee on the Judiciary,

Which was agreed to.

Mr. Boyd, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred sundry claims for the several amounts and purposes hereinafter named, have had the same under consideration, and would recommend that they be allowed, and referred to the Committee of Ways and Means, to be incorporated in the specific appropriation bill for payment. The claims are as follows, to-wit :

C. A. Woodbridge, for the sum of twelve dollars and seventy cents, for pitchers, tumblers, &c., in 1865.

Elder, Harkness & Co., for the sum of one thousand seven hundred and sixty-six cents, for Daily Sentinel, session of 1865.

W. R. Holloway & Co., for the sum of one thousand seven hundred and sixty-six dollars and sixty-six cents, for State Journal, session 1865. Also, for the sum of one hundred and eighty-three dollars and fifty cents, for blank books, printing, ruling, &c., for use of House, in 1865.

Spiegel, Thoms & Co., for the sum of thirty dollars, for chairs furnished for use of Legislature in 1863.

David Stephenson, for the sum of one thousand and twenty dollars, for Gavin & Hord's Revised Statutes, for use of House, 1865.

On motion,

The report was referred to the Committee on Ways and Means, with instructions to insert the several sums in the specific appropriation bill.

The Speaker announced that he had signed Senate bill No. 41.

Mr. Major, from the Committee on Fees and Salaries, made the following report :

MR. SPEAKER :

The Committee on Fees and Salaries, to whom was referred House bill No. 184, an act to amend an act regulating the fees of officers, and repealing former acts in relation thereto, have had the same under consideration, and report it back, recommending its passage.

Which was laid on the table.

Mr. Riford, from the Committee on County and Township Business, made the following report :

MR. SPEAKER :

The Committee on County and Township Business, to whom was referred resolution No. 27, to repeal section 16, of the act of 1859, providing for the election of Supervisors, beg leave to report that it is inexpedient to repeal said section, and recommend said resolution lay on the table.

Which was laid on the table.

Mr. Shoaff, chairman of a Select Committee, made the following report :

MR. SPEAKER :

The Select Committee, to whom was referred House bill No. 181, have had the same under consideration, and instruct me to make the following report :

They recommend that said bill be amended by inserting after the word Treasurer, in the 24th line of the amending section, the following words : "Such Clerk shall be entitled to a fee of fifteen cents for every one hundred words contained in the lists and copies above required." Also, strike out all after the word "dollars," in the 4th line from bottom of said section.

And when so amended they recommend the passage of said bill.

Which was laid on the table.

Mr. Steward, from a Select Committee, made the following report :

MR. SPEAKER :

The Committee, to whom was referred House bill No. 172, fixing the time of holding the Courts in the Fourth Judicial Circuit, have had the same under consideration, and direct me to report the bill back to the House, and recommend that it do lie on the table.

Which was laid on the table.

Mr. Branham offered the following resolution :

*Resolved*, That House bills No. 176, 153 and 140, be made the special order at 10 $\frac{1}{2}$  o'clock to-day, Feb. 26th.

Mr. Branham moved the previous question.

Which was seconded by the House.

The question being shall the main question be now put ?

Messrs. Brown and Coffroth demanded the ayes and noes.

Those who voted in the affirmative were.

Messrs. Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Goodman, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lane, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Reese, Rhoads, Rice, Riford, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Steward, Stringer, Trusler, Upson, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—54.

Those who voted in the negative were,

Messrs. Beckett, Bird, Brown, Burwell, Buskirk, Coffroth, Croan, Dunham, Glazebrook, Hargrove, Harrison, Howard, Humphreys, Hunt, Lasselle, Lemon, Lopp, Miller of Clinton, Milroy, Perigo, Richards, Richardson, Roach, Spencer, Stuckey, Thatcher and Veach—27.

So the main question was ordered.

Mr. Brown moved that the House do now adjourn.

The ayes and noes were demanded by Messrs. Brown and Coffroth.

Those who voted in the affirmative were,

Messrs. Beckett, Bird, Brown, Burwell, Buskirk, Coffroth, Croan, Dunham, Glazebrook, Howard, Humphreys, Hunt, Lemon, Lopp, Miller of Clinton, Milroy, Perigo, Shoaff of Allen, Spencer, Stuckey, and Thatcher—22.

Those who voted in the negative were,

Messrs. Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Goodman, Gregory of Montgomery, Gregory of Warren, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lane, Lasselle, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Osborn, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Shoaff of Jay, Shuey, Sim, Steward, Stringer, Trusler, Upson, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—57.

So the House refused to adjourn.

Mr. Harrison moved to reconsider the vote just taken, whereby the House refused to adjourn.

Which motion the Speaker ruled to be out of order.

Mr. Dunham presented the following appeal from the decision of the Chair:

From the decision of the Chair, upon the motion of the member from Shelby, Mr. Harrison, to reconsider the vote upon adjourning just taken, deciding that said motion is not in order, we appeal.

C. L. DUNHAM,  
JASON B. BROWN,  
J. R. COFFROTH,  
O. BIRD,  
S. W. BUSKIRK,  
GEO. THATCHER,  
JOHN P. SHOAFF.

The question being, shall the decision of the Speaker stand as the judgment of the House?

Mr. Dunham asked to be excused from voting on said appeal, Mr. Brown objecting.

Messrs. Brown and Buskirk demanded the ayes and noes,

Those who voted in the affirmative were,

Messrs. Banta, Bonner, Boyd, Branham, Brown, Burnes, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson; Kilgore, Lane, Lasselle, Lockhart, Major, Meredith, Miller of Clinton, Montgomery, McVey, Newcomb, Olleman, Osborn, Reese Rhoads, Rice Riford, Sim, Steward, Stringer, Trusler, Upson, Veach, White, Willis, Woodruff, Woods and Wright—52.

Those who voted in the negative were,

Messrs. Bird, Burwell, Buskirk, Coffroth, Croan, Glazebrook, Hargrove, Harrison, Howard, Humphreys, Hunt, Lemon, Lopp, Miller of Tippecanoe, Milroy, Perigo, Richardson, Roach, Shoaff of Allen, Shoff of Jay, Shuey, Spencer, Stuckey, Thatcher, Whiteside and Mr. Speaker—27.

So Mr. Dunham was excused.

Mr. Dunham moved that the House adjourn.

The ayes and noes being demanded by the Democrats.

Pending which, Mr. Coffroth moved to be excused from voting.

Objections being made by Mr. Spencer, Messrs. Coffroth and Dunham demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Banta, Beckett, Buskirk, Church, Croan, Crook, Gregory of Warren, Groves, Henricks, Higgins, Hogate, Lane, Lasselle, Lockhart, Lopp, Major, Meredith, O'Brien, Reese, Shoaff of Jay, Spencer, Veach, White, Willis, Woods and Mr. Speaker—26.

Those who voted in the negative were,

Messrs. Bird, Boyd, Branham, Brown, Burnes, Burwell, Chambers, Cook, Cox, Dunham, Emerson, Ferris, Goodman, Glazebrook, Griffith, Hamrick, Hargrove, Harrison, Hershey, Hoover, Howard, Humphreys, Hunt, Johnson, Lemon, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Rhoads, Richardson, Riford, Roach, Shoaff of Allen, Shuey, Sim, Steward, Stringer, Stuckey, Thatcher, Trussler, Upson, Whiteside, Woodruff and Wright—50.

So the gentleman was not excused.

Mr. Brown moved to be excused from voting on the motion of Mr. Dunham to adjourn.

Objection being made by Mr. Spencer, Messrs. Brown and Coffroth demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Banta, Bonner, Burwell, Groves, Higgins, Hogate, Lasselle, Lemon, Lockhart, Milroy, Shoaff of Jay, Trusler, Veach and White—14.

Those who voted in the negative were,

Messrs. Beckett, Bird, Boyd, Branham, Burnes, Buskirk, Chambers, Church, Cook, Cox, Croan, Crook, Emerson, Ferris, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Hargrove, Harrison, Henricks, Hershey, Hoover, Humphreys, Hunt, Johnson, Lane, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Perigo, Reese, Rhoads, Rice, Richardson, Riford, Roach, Shoaff of Allen, Shuey, Sim, Spencer, Steward, Stringer, Stuckey, Thatcher, Upson, Whiteside, Willis, Woodruff, Woods, Wright, and Mr. Speaker—59.

So the gentleman was not excused.

Mr. Spencer moved to be excused from voting on the motion of Mr. Dunham to adjourn.

Objection being made by Mr. Brown.

Messrs. Spencer and Shoaff, of Allen, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Coffroth, Croan, Crook, Dunham, Henricks, Higgins, Hogate, Hoover, Howard, Hunt, Lasselle, Lemon, Lockhart, Shoaff of Allen, Shoaff of Jay, Steward, Veach, White and Woods—19.

Those who voted in the negative were,

Messrs. Bird, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Buskirk, Church, Cook, Cox, Emerson, Ferris, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Hargrove, Harrison, Hershey, Humphreys, Johnson, Lane, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Perigo, Reese, Rhoads, Rice, Richardson, Riford, Shuey, Sim, Stringer, Stuckey, Thatcher, Trusler, Upson, Whiteside, Willis, Woodruff, Wright and Mr. Speaker—52.

So the gentleman was not excused.

Mr. Buskirk moved to be excused from voting on the motion of Mr. Dunham to adjourn.

Objection being made by Mr. Beckett,

Messrs. Buskirk and Dunham demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Burwell, Buskirk, Coffroth, Croan, Emerson, Hargrove, Henricks, Higgins, Hogate, Hoover, Hunt, Lasselle, Lemon, Lockhart, Milroy, Shoaff of Allen, Shoaff of Jay, Steward, Veach and White—30.

Those who voted in the negative were,

Messrs. Bird, Bonner, Boyd, Branham, Brown, Burnes, Chambers, Church, Cook, Cox, Crook, Dunham, Ferris, Goodman, Glazebrook, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Hershey, Howard, Humphreys, Johnson, Lane, Lopp, Major, Meredith, Miller



of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Perigo, Reese, Rhoads, Richardson, Riford, Shuey, Sim, Stringer, Stuckey, Thatcher, Trusler, Upson, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—52.

So the gentleman was not excused.

Mr. Dunham moved that when the House adjourn it be until Monday, at one o'clock, P. M.

The ayes and noes being demanded by Messrs. Dunham and Milroy.

Mr. Brown moved to be excused from voting on the motion of Mr. Dunham to adjourn.

Objection being made by Mr. Milroy,

Messrs. Brown and Dunham demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Buskirk, Chambers, Coffroth, Croan, Crook, Emerson, Hargrove, Higgins, Hogate, Hunt, Lasselle, Lemon, Milroy, Montgomery, Shoaff of Allen, Shoaff of Jay, Steward and Veach—18.

Those who voted in the negative were,

Messrs. Beckett, Bird, Bonner, Boyd, Branham, Burnes, Burwell, Church, Cook, Cox, Dunham, Ferris, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey, Hoover, Howard, Humphreys, Johnson, Lane, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, McVey, Newcomb, Osborn, Perigo, Reese, Rice, Richardson, Riford, Shuey, Sim, Spencer, Stringer, Thatcher, Trusler, Upson, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—56.

So the gentleman was not excused.

Mr. Beckett offered the following :

“Upon the motion of the gentleman from Floyd to adjourn this House till Monday, at one o'clock, P. M., I ask to be excused from voting.”

Objection being made by Mr. Brown,

Messrs. Milroy and Beckett demanded the ayes and noes.

H. J.—39

Those who voted in the affirmative were,

Messrs. Brown, Burwell, Coffroth, Hargrove, Kilgore, Lasselle, Lemon, Milroy, Shoaff of Jay, Thatcher and Veach—11.

Those who voted in the negative were,

Messrs. Banta, Bird, Bonner, Boyd, Branham, Burnes, Buskirk, Chambers, Church, Cook, Croan, Crook, Dunham, Emerson, Ferris, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Lane, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Perigo, Reese, Rhoads, Rice, Richardson, Riford, Shoaff of Allen, Shuey, Sim, Spencer, Steward, Stringer, Trusler, Upson, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—57.

So the gentleman was not excused.

Mr. Spencer offered the following :

“I move to be excused from voting on the resolution offered by the member from Floyd.”

Objection being made by Mr. Brown,

Messrs. Dunham and Spencer demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Burwell, Buskirk, Church, Coffroth, Croan, Emerson, Groves, Hargrove, Hunt, Lasselle, Lemon, Milroy, Thatcher and Veach—15.

Those who voted in the negative were,

Messrs. Banta, Bird, Bonner, Boyd, Branham, Brown, Burnes, Chambers, Cook, Cox, Crook, Dunham, Ferris, Goodman, Glazebrook, Gregory of Warren, Griffith, Hamrick, Harrison, Hershey, Higgins, Hogate, Hoover, Humphreys, Johnson, Kilgore, Lane, Lockhart, Major, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Perigo, Reese, Rhoads, Rice, Richardson, Riford, Shoaff of Allen, Shuey, Sim, Stringer, Trusler, Upson, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—55.

So. Mr. Spencer was not excused.

Mr. Bird offered the following :

On the motion of the gentleman from Floyd (Mr. Dunham) to

adjourn until Monday at one o'clock P. M. I ask to be excused from voting.

Objection being made by Mr. Milroy, Messrs. Dunham and Beckett demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Burwell, Buskirk, Coffroth, Croan, Hargrove, Hunt, Lemon, Milroy, Thatcher and Veach—11.

Those who voted in the negative were.

Messrs. Bonner, Boyd, Branham, Brown, Burnes, Chambers, Church, Cook, Cox, Crook, Dunham, Ferris, Goodman, Glazebrook, Gregory of Warren, Griffith, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Lockhart, Lopp, Major, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Perigo, Reese, Rhoads, Rice, Richardson, Riford, Shoaff of Allen, Shuey, Sim, Spencer, Steward, Stringer, Trusler, Upson, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—52.

So Mr. Bird was not excused.

Mr. Lasselle, offered the following:

MR. SPEAKER:

On the motion of the gentlemen from Floyd, Mr. Dunham, to adjourn until Monday at 1 o'clock P. M., I ask to be excused.

Objection being made by Mr. Dunham, Messrs. Milroy and Lasselle demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Burwell, Buskirk, Church, Coffroth, Croan, Hargrove, Lemon, Milroy, Spencer, Thatcher and Veach—11.

Those who voted in the negative were,

Messrs. Banta, Beckett, Bird, Bonner, Boyd, Branham, Brown, Burnes, Chambers, Cook, Cox, Crook, Dunham, Ferris, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Johnson, Lane, Lockhart, Lopp, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Osborn, Perigo, Reese, Rhoads, Rice, Richardson, Riford.

Shoaff of Allen, Shuey, Steward, Stringer, Upson, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—59.

So Mr. Lasselle was not excused.

Mr. Milroy offered the following:

I move to be excused from voting on the Resolution offered by the member from Floyd to adjourn to a specified time.

Objection being made by Mr. Thatcher, Messrs. Milroy and Brown, demanded the ayes and noes.

Those voting in the affirmative were.

Messrs. Beckett, Burwell, Buskirk, Coffroth, Humphreys, Kilgore, Lasselle, Lemon, O'Brien, Spencer and Thatcher—11.

Those who voted in the negative were,

Messrs. Banta, Bird, Bonner, Boyd, Branham, Brown, Burnes, Chambers, Church, Cook, Cox, Croan, Crook, Dunham, Ferris, Glazebrook, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Johnson, Lockhart, Lopp, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Perigo, Reece, Rhoads, Rice, Richardson, Riford, Shoaff of Allen, Shuey, Sim, Steward, Stringer, Trusler, Upson, Veach, White, Whiteside, Willis, Woodruff, Wright and Mr. Speaker.—58.

So Mr. Milroy was not excused.

Mr. Shoaff, of Allen, offered the following:

I move to be excused from voting upon the resolution offered by the member from Floyd, in regard to adjourning to a specified time.

Objection being made by Mr. Beckett, Messrs. Milroy and Dunham, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Burwell, Chambers, Church, Coffroth, Croan, Humphreys, Hunt, Kilgore, Lemon, Shoaff of Allen, Shoaff of Jay, Thatcher, and Veach—13.

Those who voted in the negative were.

Messrs. Banta, Beckett, Bird, Bonner, Boyd, Branham, Burnes,

Buskirk, Cook, Cox, Crook, Dunham, Emerson, Ferris, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Johnson, Lane, Lockhart, Lopp, Major, Meredith, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Rhoads, Rice, Richardson, Riford, Shuey, Sim, Spencer, Stringer, Upson, White, Whiteside, Willis, Woodruff, Wright and Mr. Speaker.—59.

So Mr. Shoaff was not excused.

Mr. Lemon offered the following :

On the motion of the gentleman from Floyd, Mr. Dunham, to adjourn until Monday at 1 o'clock P. M., I ask to be excused from voting.

Objection being made by Mr. Dunham, Messrs. Coffroth and Lemon demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Brown, Buskirk, Chambers, Church, Coffroth, Croan, Crook, Humphreys, Hunt, Kilgore, Lasselle, Lemon, Milroy, Shoaff of Allen, Shoaff of Jay, Spencer, Thatcher and Veach—19.

Those who voted in the negative were,

Messrs. Banta, Bird, Boyd, Branham, Burnes, Cook, Cox, Emerson, Ferris, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Lane, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Rhoads, Rice, Richardson, Riford, Shuey, Sim, Stringer, Trussler, Upson, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—57.

So Mr. Lemon was not excused.

The question being on the motion made by Mr. Dunham to adjourn over till Monday next, at one o'clock, P. M.

Messrs. Brown and Harrison demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Bird, Brown, Burwell, Buskirk, Croan, Harrison, Humphreys, Hunt, Lemon, Milroy, O'Brien, Shoaff of Allen, Shoaff of Jay, Spencer and Thatcher—16.

Those who voted in the negative were,

Messrs. Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Johnson, Kilgore, Lane, Lockhart, Lopp, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Rhoads, Rice, Richardson, Riford, Shuey, Sim, Stringer, Trusler, Upson, Veach, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—57.

So the motion to adjourn over did not prevail.

Mr. Brown offered the following :

“I move that when this House adjourns, it adjourn to Monday next at 2 $\frac{1}{4}$  o'clock, P. M.”

Mr. Buskirk moved to amend by inserting 3 o'clock.

Mr. Brown offered the following :

“On the motion of the gentleman from Monroe to fix the time to which the House shall adjourn, I ask to be excused from voting.”

Objection being made by Mr. Spencer,

Messrs. Brown and Spencer demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Brown, Coffroth, Croan, Kilgore, Lemon, Milroy, Rice, Shoaff of Allen, Shoaff of Jay—10.

Those who voted in the negative were,

Messrs. Banta, Beckett, Bonner, Boyd, Branham, Burnes, Buskirk, Chambers, Church, Cook, Cox, Crook, Ferris, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Johnson, Lane, Lockhart, Lopp, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Rhoads, Richardson, Riford, Shuey, Sim, Spencer, Stringer, Trusler, Upson, Veach, White, Willis, Woodruff, Woods, Wright and Mr. Speaker—57.

So Mr. Brown was not excused.

Mr. Spencer offered the following :

“ Upon the motion of the member from Monroe, to fix the time for adjournment, I wish to be excused from voting.”

Objections being made by Mr. Brown,

Messrs. Spencer and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Brown, Church, Croan, Humphreys, Kilgore, Rice and Thatcher—7.

Those who voted in the negative were,

Messrs. Bird, Bonner, Branham, Burnes, Buskirk, Chambers, Cox, Crook, Ferris, Glazebrook, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hoover, Howard, Johnson, Lane, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Rhoads, Richardson, Riford, Shuey, Sim, Spencer, Stringer, Trusler, Upson, Veach, White, Whiteside, Willis, Woodruff, Woods, Wright, and Mr. Speaker—48.

So Mr. Spencer was not excused.

Mr. Thatcher offered the following :

“ On the motion of the gentleman from Monroe, to fix the time to which the House shall adjourn, I ask to be excused from voting.”

Objection being made by Mr. Lemon,

Messrs Thatcher and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Brown, Buskirk, Church, Higgins, Humphreys, Lane, Lopp and Milroy—9.

Those who voted in the negative were,

Messrs. Bonner, Branham, Cook, Crook, Glazebrook, Gregory of Montgomery, Gregory of Warren, Groves, Hargrove, Harrison, Henricks, Hershey, Hoover, Howard, Johnson, Kilgore, Lemon, Lockhart, Miller of Tippecanoe, Montgomery, McVey, Osborn, Richardson, Riford, Roach, Shuey, Sim, Spencer, Stringer, Upson, Veach, Willis, Woodruff, Woods, Wright and Mr. Speaker.—36.

So Mr. Thatcher was not excused.

The question being on the motion made by Mr. Buskirk,  
Messrs. Buskirk and Brown demanded the ayes and noes.

Those who voted in the affirmative were,  
Messrs. Brown, Humphreys, Lopp, and Spencer—4.

Those who voted in the negative were,  
Messrs. Branham, Church, Cook, Cox, Crook, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hoover, Johnson, Kilgore, Lane, Lockhart, Major, Miller of Tippecanoe, Montgomery, McVey, Osborn, Rhoads, Rice, Richardson, Riford, Shuey, Sim, Stringer, Upson, Veach, White, Willis, Woodruff, Woods, and Mr. Speaker—37.

So the motion was not agreed to.

Mr. Spencer offered the following :

“I move that when the House adjourns, it adjourn until half-past three o'clock, on Monday next, February 27th, 1865.”

Mr. Spencer offered the following :

“Upon the motion from the member of Posey, to adjourn to a specified time, I move to be excused from voting.”

Objection being made by Mr. Coffroth,

Messrs. Spencer and Thatcher demanded the ayes and noes.

Those who voted in the affirmative were,  
Messrs. Church, Groves, Kilgore, Lemon, Milroy, and Thatcher—6.

Those who voted in the negative were,  
Messrs. Branham, Chambers, Cook, Cox, Crook, Glazebrook, Gregory of Montgomery, Gregory of Warren, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hoover, Johnson, Lane, Lockhart, Lopp, Major, McVey, Osborn, Rhoads, Rice, Richardson, Riford, Shuey, Sim, Spencer, Stringer, Upson, White, Willis, Woodruff, Woods and Mr. Speaker—35.

So the gentleman was not excused.



The question recurring on the motion of Mr. Spencer to adjourn till 3½ o'clock, P. M., of Monday next,  
The same was not agreed to.

The question recurring on the motion of Mr. Brown to adjourn till 2 o'clock, P. M., of Monday next.  
The same was not agreed to.

On motion of Mr. Shuey,  
The House adjourned till 2½ o'clock, P. M.

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2½ O'CLOCK, P. M.

The House met.

The Speaker laid before the House the following communication from the Adjutant General of the State:

STATE OF INDIANA, EXECUTIVE DEPARTMENT, }  
ADJUTANT GENERAL'S OFFICE, }  
INDIANAPOLIS, February 24th, 1865. }

HON. JOHN U. PETTIT,

*Speaker of the House of Representatives:*

SIR:—Under an act approved May 11th, 1861, 6 regiments of State troops for twelve months service were organized, viz: the 12th, 13th, 14th, 15th, 16th and 17th regiments. A call was afterwards made for four regiments of United States volunteers which were organized from the State regiments, and duly mustered into the United States service. This was done by transferring from different companies such men as would volunteer for three years service, and by consolidating the remaining men into two regiments of State troops, the 12th and 16th. The transfers alluded to, run through the rolls of nearly every one of the companies composing the six regiments. The State Paymaster made payment to those who did not enter the United States service from the date the companies went into camp to the date of the transfer to the United States service and the United States Paymaster made payment, from the date the companies transferred to the service of the General Government, went into camp, except in cases where the men had been transferred from companies

that did not enter the United States service. Thus a member of those who entered the United States service by transfer from the 12th and 16th regiments and a detachment of five companies (known at that time as the 18th regiment,) have not been paid for their services as State troops, because of their absence at the time the State Paymaster was making his payments. After their discharge from the United States service, many of them made claim for their dues from the State, but the military fund having been exhausted they could not be paid. There are also some who were discharged from the State service prior to the payments made by the State Paymaster who have a legal claim for services rendered who cannot be paid on account of the absence of an appropriation.

From an estimate made, based upon a careful examination of the rolls in this office, the claimants represent in the aggregate 5895 days service, which at \$13 50 per month, the monthly pay and clothing allowance, paid at the time the services were rendered, amounts to the sum of \$2,472 00.

I respectfully recommend that an appropriation be made to cover these claims, and that the State Paymaster be required to draw and disburse this money as it may be demanded upon certified rolls to be furnished from this office.

I have the honor to be,

very respectfully,

your ob't servant,

W. H. H. TERRELL,

*Adjutant General Indiana.*

Mr. Buskirk, moved to refer said communication to the Committee on Ways and Means, with instructions to incorporate said amount in the Specific Appropriation bill.

Which was agreed to.

Messrs. Trussler and Zeigler, were granted leave of absence on account of sickness.

The pending question on adjournment being, shall the decision of the Speaker in ruling out of order the motion made by Mr. Harrison, to reconsider the vote whereby the House had refused to adjourn, stand as the judgment of the House.

Mr. Dunham, moved that when the House adjourn, it be till 12½ o'clock on Monday next.

Mr. Brown obtained the floor and was speaking, when the Speaker ruled that inasmuch as the previous question had been ordered, all debate was out of order, and requested the gentleman to take his seat.

Mr. Brown then made use of the following language: "You

haven't got men enough in this House By God, to put anybody down."

The Clerk was requested to make note of the above language.

Mr. Brown asked to be excused from voting on the motion to adjourn.

Objection being made by Mr. Bird,

Messrs. Dunham and Bird, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Bird, Burwell, Buskirk, Church, Coffroth, Collins, Groves, Lemon, Lopp, Sabin, Shoaff of Allen, Woods and Wright—14.

Those who voted in the negative were,

Messrs. Banta, Bonner, Boyd, Branham, Cook, Crook, Dunham, Emerson, Ferris, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Hargrove, Hamrick, Henricks, Harrison, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, Johnson, Lane, Lockhart, Major, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Reese, Rhoads, Rice, Riford, Roach, Shuey, Spencer, Steward, Stringer, Stuckey, Upson, Willis and Mr. Speaker—51.

So Mr. Brown was not excused.

Mr. Milroy offered the following :

"Upon the motion of the gentleman from Floyd to adjourn until Monday, at 12½ o'clock, P. M., I ask to be excused from voting."

Objection being made by Mr. Beckett,

Messrs. Dunham and Spencer demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Brown, Burwell, Coffroth, Collins, Kilgore, Lemon, Milroy, O'Brien, Richardson, Sabin, Shoaff of Allen, Spencer, Steward, Stuckey, Thatcher, and Wright—17.

Those who voted in the negative were,

Messrs. Banta, Beckett, Bonner, Boyd, Branham, Burnes, Buskirk, Chambers, Church, Cook, Croan, Crook, Dunham, Emerson, Ferris,

Glazebrook, Gregory of Warren, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, Johnson, Lane, Lockhart, Lopp, Major, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Perigo, Reese, Rhoads, Rice, Riford, Roach, Shuey, Stringer, Upson, Willis, Woodruff, Woods and Mr. Speaker—54.

So the gentleman was not excused.

Mr. Dunham offered the following :

“Upon the motion now pending before the House, that when the House adjourns it adjourn until Monday next, at 12½ o'clock, I ask to be excused.”

Objection being made by Mr. Spencer,

Messrs. Milroy and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Bird, Burwell, Church, Coffroth, Collins, Groves, Henricks, Hershey, Kilgore, Lemon, Sabin, Shoaff of Allen, Shoaff of Jay, Spencer, Stuckey, Thatcher, and Woods—17.

Those who voted in the negative were,

Messrs. Banta, Bonner, Boyd, Branham, Brown, Burnes, Buskirk, Chambers, Cook, Crook, Emerson, Ferris, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Hamrick, Hargrove, Harrison, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, Johnson, Lane, Lockhart, Lopp, Major, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Osborn, Perigo, Rhoads, Rice, Riford, Shuey, Sim, Steward, Stringer, Upson, Willis, Woodruff and Mr. Speaker—48.

So the gentleman was not excused.

Mr. Burwell offered the following:

“On the proposition now pending before the House, that when this House adjourn, it adjourn till Monday at 12½ o'clock, I have some delicacy about voting, and would therefore ask to be excused.”

Objection being made by Mr. Dunham,

Messrs. Dunham and Spencer demanded the ayes and noes.

Those who voted in the affirmative were.

Messrs. Beckett, Bird, Buskirk, Church, Coffroth, Collins, Groves, Kilgore, Lemon, Milroy, Sabin, Shoaff of Allen, Spencer, Steward, and Thatcher—15.

Those who voted in the negative were,

Messrs. Banta, Boyd, Branham, Burnes, Chambers, Cook, Crook, Dunham, Emerson, Ferris, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, Johnson, Lane, Lockhart, Lopp, Major, Miller of Clinton, McVey, Newcomb, O'Brien, Patterson, Perigo, Rhoads, Rice, Riford, Shoaff of Jay, Shuey, Sim, Stringer, Stuckey, Upson, Willis, Woodruff, Woods, and Mr. Speaker—51.

So Mr. Burwell was not excused.

Mr. Spencer offered the following :

"I ask to be excused from voting upon the motion to adjourn, made by the member from Floyd."

Objection being made by Mr. Coffroth,

Messrs. Dunham and Beckett demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Bird, Burwell, Chambers, Church, Coffroth, Collins, Groves, Humphreys, Kilgore, Lemon, Sabin, Spencer, Steward and Thatcher—15.

Those who voted in the negative were,

Messrs. Banta, Boyd, Branham, Burnes, Cook, Crook, Dunham, Emerson, Ferris, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Hamrick, Hargrove, Harrison, Henricks, Higgins, Hogate, Hoover, Howard, Hunt, Johnson, Lane, Lockhart, Lopp, Major, Milroy, Montgomery, O'Brien, Osborn, Perigo, Reese, Rice, Riford, Shoaff of Allen, Shuey, Sim, Stringer, Stuckey, Upson, Willis, Woodruff, Woods, and Mr. Speaker—46.

So the gentleman was not excused.

Mr. Lemon offered the following :

"Upon the motion of the gentleman from Floyd, (Mr. Dunham,)

to adjourn until Monday, until 12½ o'clock, P. M., I ask to be excused from voting."

Objection being made by Mr. Spencer,

Messrs. Dunham and Thatcher demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Burnes, Burwell, Church, Coffroth, Groves, Humphreys, Hunt, Kilgore, Lasselle, Lemon, Milroy, Rice, Roach, Sabin, Steward and Thatcher—17.

Those who voted in the negative were.

Messrs. Banta, Bird, Boyd, Branham, Chambers, Cook, Crook, Dunham, Emerson, Ferris, Goodman, Glazebrook, Gregory of Warren, Hamrick, Harrison, Hargrove, Hershey, Higgins, Hogate, Hoover, Howard, Johnson, Lane, Lockhart, Lopp, Major, Montgomery, McVey, Osborn, Perigo, Reese, Rhoads, Riford, Shuey, Spencer, Stringer, Upson, Willis, Woodruff and Mr. Speaker—40.

So the gentleman was not excused.

Mr. Thatcher offered the following :

"I move that I be excused from voting on the motion made by the gentleman from Floyd, that when this House adjourns, that it adjourn to meet on Monday next, at 12½ o'clock.

Objection being made by Mr. Spencer,

Messrs. Dunham and Beckett demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Burwell, Coffroth, Cook, Groves, Humphreys, Hunt, Lasselle, Lemon, Milroy, Rice and Sabin—12.

Those who voted in the negative were,

Messrs. Bird, Boyd, Branham, Chambers, Croan, Crook, Dunham, Emerson, Ferris, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Hamrick, Hargrove, Harrison, Hershey, Higgins, Hogate, Hoover, Howard, Johnson, Lane, Lockhart, Lopp, Major, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Osborn, Reese, Rhoads, Riford, Shuey, Spencer, Steward, Stringer, Upson Woodruff, and Mr. Speaker—41.

So Mr. Thatcher was not excused.

Mr. Beckett offered the following :

MR. SPEAKER :

Upon the motion of the gentleman from Floyd, to adjourn till 12½ o'clock, P. M., Monday next, I ask to be excused from voting.

Objection being made by Mr. Brown,

Messrs. Bird and Spencer demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Brown, Burwell, Buskirk, Church, Coffroth, Groves, Hunt, Lasselle, Lemon, Milroy, Roach, Sabin, Spencer, Steward and Thatcher—15.

Those who voted in the negative were,

Messrs. Bird, Boyd, Branham, Burnes, Chambers, Cook, Croan, Crook, Emerson, Ferris, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Johnson, Lane, Lockhart, Lopp, Major, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Perigo, Reece, Rhoads, Rice, Riford, Shuey, Sim, Stringer, Upson, Willis, Woodruff, Wright and Mr. Speaker—48.

So Mr. Beckett was not excused.

Mr. Hunt offered the following :

MR. SPEAKER :

I asked to be excused from voting upon the motion to adjourn made by the member from Floyd now pending.

Objection being made by Mr. Milroy,

Messrs. Brown and Spencer demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Brown, Burwell, Groves, Humphreys, Hunt, Lasselle, Lemon, Milroy, O'Brien, Sabin and Thatcher—12.

Those who voted in the negative were.

Messrs. Banta, Beckett, Boyd, Branham, Burnes, Chambers, Cook,

Church, Croan, Crook, Emerson, Ferris, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Hamrick, Hershey, Higgins, Hogate, Hoover, Howard, Johnson, Lane, Lockhart, Lopp, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Perigo, Reece, Rhoads, Rice, Riford, Shuey, Spencer, Steward, Stringer, Upson, Willis, Woodruff and Mr. Speaker—48.

So Mr. Hunt was not excused.

Mr. Harrison offered the following :

MR. SPEAKER :

On the motion of the gentleman from Floyd, that when the House adjourns to meet on Monday at 12½ P. M., I ask to be excused from voting.

Objection being made by Thatcher,

Messrs. Brown and Spencer demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Burnes, Church, Groves, Howard, Hunt, Lasselle, Lemon and Sabin—9.

Those who voted in the negative were,

Messrs. Banta, Beckett, Branham, Chambers, Cook, Crook, Emerson, Ferris, Glazebrook, Gregory of Montgomery, Gregory of Warren, Hamrick, Hargrove, Henricks, Hershey, Hogate, Hoover, Johnson, Lane, Lockhart, Lopp, Major, Montgomery, McVey, Osborn, Perigo, Reece, Rhoads, Rice, Riford, Roach, Shuey, Sim, Spencer, Steward, Stringer, Upson, Willis, Woodruff, Wright and Mr. Speaker—40.

So the gentleman was not excused.

Mr. Bird offered the following :

MR. SPEAKER :

Upon the motion of the member from Floyd to fix the time for adjournment, I wish to be excused from voting.

Objection being made by Mr. Beckett,

Messrs. Dunham and Brown demanded the ayes and noes.



Those who voted in the affirmative were,

Messrs. Burnes, Buskirk, Coffroth, Groves, Hargrove, Howard, Humphreys, Hunt, Lasselle, Lemon, Milroy, Roach, Sabin, Shoaff of Allen, Thatcher and Wright—16.

Those who voted in the negative were,

Messrs. Banta, Beckett, Branham, Brown, Chambers, Cook, Croan, Crook, Dunham, Emerson, Ferris, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Lane, Lee, Lockhart, Lopp, Major, Miller of Clinton, Montgomery, McVey, Newcomb, Osborn, Perigo, Rice, Riford, Shuey, Sim, Stenger, Stringer, Upson, Willis and Woodruff—43.

So the gentleman was not excused.

The question recurring on the motion of Mr. Dunham to adjourn till 12½ o'clock on Monday next.

Messrs. Brown and Spencer demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Bird, Brown, Burwell, Coffroth, Crook, Dunham, Griffith, Groves, Harrison, Howard, Lasselle, Lemon, Milroy, Spencer and Thatcher—16.

Those who voted in the negative were,

Messrs. Atkinson, Banta, Bonner, Branham, Burnes, Buskirk, Chambers, Church, Cook, Emerson, Ferris, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Hamrick, Hargrove, Henricks, Hershey, Hogate, Hoover, Hunt, Johnson, Kilgore, Lane, Lockhart, Lopp, Major, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Perigo, Reese, Rhoads, Rice, Riford, Roach, Sabin, Shuey, Sim, Steward, Stringer, Stuckey, Upson, Willis and Woodruff—49.

So the motion did not prevail.

Mr. Wright offered the following :

I hereby give notice that I shall move on Monday to amend the Rules of this House, section 63, by striking out the words "two thirds," and insert "majority."

Mr. Brown offered the following :

H. J.—40

I move that when this House adjourns it will adjourn to meet on Monday next at 12 $\frac{1}{4}$  o'clock.

Mr. Spencer offered the following :

MR. SPEAKER :

I ask to be excused from voting upon the motion to adjourn now pending before the House.

Objection being made by Mr. Brown,

Messrs. Dunham and Milroy demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Brown, Coffroth, Groves, Humphreys, Hunt, Milroy, Sabin, Spencer, Steward, Stuckey and Wright—12.

Those who voted in the negative were,

Messrs. Atkinson, Banta, Beckett, Branham, Burnes, Buskirk, Chambers, Church, Cook, Croan, Crook, Dunham, Emerson, Ferris, Glazebrook, Gregory of Montgomery, Gregory of Warren, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Johnson, Kilgore, Lane, Lockhart, Lopp, Major, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Perigo, Rice, Rhoads, Riford, Roach, Shuey, Sim, Stivers, Stringer, Thatcher, Upson, Willis, Woodruff and Woods—51.

So the gentleman was not excused.

Mr. Dunham offered the following :

“I ask that, upon the pending motion of the gentleman from Jackson, that when the House adjourn it adjourn until Monday next, at 12 $\frac{1}{4}$  o'clock, to be excused from voting.”

Objection being made by Mr. Brown,

Messrs. Dunham and Spencer demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Burnes, Buskirk, Coffroth, Dunham, Groves, Hargrove, Kilgore, Lemon, Milroy, Sabin, Sim, Spencer, Steward, Stuckey, Thatcher and Wright—18.

Those who voted in the negative were,

Messrs. Banta, Branham, Brown, Chambers, Cook, Croan, Crook, Emerson, Ferris, Glazebrook, Gregory of Montgomery, Gregory of Warren, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, Johnson, Lane, Lockhart, Lopp, Major Miller of Tippecanoe, Montgomery, Newcomb, Osborn, Perigo, Rhoads, Riford, Roach, Shuey, Stringer, Willis, Woods and Mr. Speaker—39.

So Mr. Dunham was not excused.

Mr. Brown offered the following :

“ I move that I be excused from voting on the motion that when this House adjourns, that it adjourn to meet on Monday next, at 12 $\frac{1}{4}$  o'clock.”

Objection being made by Mr. Spencer,

Messrs. Brown and Spencer demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Church, Coffroth, Groves, Hargrove, Humphreys, Kilgore, Miller of Tippecanoe, Milroy, McVey, O'Brien, Roach, Sabin, Steward, Stuckey, Thatcher and Woods—17.

Those who voted in the negative were,

Messrs. Atkinson, Banta, Bonner, Branham, Burnes, Buskirk, Chambers, Cook, Croan, Crook, Dunham, Ferris, Glazebrook, Gregory of Montgomery, Gregory of Warren, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, Johnson, Lane, Lockhart, Lopp, Major, Miller of Clinton, Montgomery, Osborn, Perigo, Reese, Rhoads, Riford, Shuey, Spencer, Stringer, Willis, Woodruff and Mr. Speaker—42.

So Mr. Brown was not excused.

Mr. Howard offered the following :

“ I move that I be excused from voting on the pending motion that when the House adjourns it adjourn to meet on Monday next at 12 $\frac{1}{4}$  o'clock.

Objection being made by Mr. Brown,

Messrs. Spencer and Lemon demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Burnes, Coffroth, Croan, Gregory of Warren, Groves, Hargrove, Humphreys, Kilgore, Lemon, O'Brien, Sabin, Spencer, Stuckey and Woods—15.

Those who voted in the negative were,

Messrs. Atkinson, Banta, Boyd, Branham, Brown, Buskirk, Chambers, Cook, Crook, Dunham, Emerson, Ferris, Gregory of Montgomery, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, Johnson, Lockhart, Lopp, Major, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Perigo, Reese, Rhoads, Rice, Richardson, Riford, Shuey, Stringer, Thatcher Upson, Woodruff and Mr. Speaker—43.

So the gentleman was not excused.

Mr. Spencer offered the following :

MR. SPEAKER :

I move that when the House adjourn, it be till twenty minutes past 12 o'clock, on Monday next, February 27th, 1865.

Mr. Spencer offered the following, on his own motion to adjourn :

MR. SPEAKER :

I ask to be excused from voting upon the amendment to the motion now pending before this House for adjournment, made by the member from Jackson.

Objection being made by Mr. Brown,

Messrs. Dunham and Spencer demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Coffroth, Groves, Hargrove, Kilgore, Lemon, Milroy, O'Brien, Sabin and Thatcher—10.

Those who voted in the negative were,

Messrs. Beckett, Boyd, Branham, Burnes, Buskirk, Chambers, Cook, Croan, Crook, Dunham, Emerson, Ferris, Glazebrook, Gregory of Montgomery, Gregory of Warren, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hunt, Johnson, Lane, Lockhart, Lopp, Major, Miller of Clinton, Miller of Tippecanoe, Montgomery, New-

comb, Osborn, Perigo, Rhoads, Rice, Richardson, Riford, Stringer, Upson, Willis, Woodruff, Woods and Mr. Speaker—43.

So the gentlemen was not excused.

Mr. Beckett offered the following:

“Upon the amendment to the motion of the gentlemen from Jackson to adjourn to Monday next, at 12 $\frac{1}{2}$  o'clock, P. M., I desire to be excused from voting.”

Objection being made by Mr. Brown,

Messrs. Dunham and Spencer demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Burwell, Coffroth, Groves, Hargrove, Humphreys, Hunt, Kilgore, Lemon, Milroy, Sabin, Spencer, Steward, Stuckey and Thatcher—14.

Those who voted in the negative were,

Messrs. Banta, Bird, Bonner, Boyd, Branham, Brown, Burnes, Chambers, Church, Cook, Croan, Crook, Dunham, Emerson, Ferris, Glazebrook, Gregory of Warren, Hamrick, Harrison, Henricks, Higgins, Hogate, Howard, Johnson, Lane, Lockhart, Lopp, Major, Miller of Clinton, Miller of Tippecanoe, Montgomery, Newcomb, Osborn, Perigo, Rice, Richardson, Riford, Sim, Stringer, Upson, Willis, Woodruff and Wright—43.

The question being on agreeing to the amendment offered by Mr. Spencer.

Messrs. Brown and Spencer demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Bird, Brown, Burwell, Coffroth, Griffith, Hargrove, Harrison, Humphreys, Hunt, Kilgore, Lemon, Milroy, O'Brien, Spencer, Steward, Stuckey and Thatcher—18.

Those who voted in the negative were,

Messrs. Banta, Boyd, Branham, Burnes, Chambers, Church, Cook, Croan, Crook, Emerson, Ferris, Glazebrook, Gregory of Montgomery, Gregory of Warren, Hamrick, Henricks, Higgins, Hogate, Hoover, Howard, Johnson, Lockhart, Lopp, Major, Miller of Clinton, Mont-

gomery, Newcomb, Osborn, Perigo, Reese, Rice, Richardson, Riford, Sabin, Stringer, Upson, Willis, Woodruff and Wright—39.

So the motion was not agreed to.

The question being on Mr. Brown's motion to adjourn till Monday next, at 12 $\frac{1}{4}$  o'clock, P. M.

Messrs. Brown and Coffroth demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Bird, Boyd, Burnes, Coffroth, Croan, Dunham, Humphreys, Lemon, Lopp, Milroy, O'Brien, Spencer, Steward, Stuckey and Wright—16.

Those who voted in the negative were,

Messrs. Banta, Bonner, Branham, Brown, Burwell, Buskirk, Chambers, Cook, Crook, Emerson, Ferris, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, Johnson, Kilgore, Lane, Major, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Perigo, Reese, Rhoads, Rice, Richardson, Riford, Sabin, Stringer, Upson, Willis, Woodruff and Mr. Speaker—48.

So the motion was not agreed to.

On motion by Mr. Newcomb,  
The House adjourned.

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MONDAY MORNING, 9 o'clock, }  
February 27, 1865. }

The House met.

The Speaker ordered a call of the House, when the following members answered to their names :

Messrs. Atkinson, Beckett, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Buskirk, Chambers, Church, Coffroth, Collins, Cook,

Croan, Crook, Dunham, Emerson Ferris, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hogate, Howard, Humphreys, Hunt, Johnson, Lane, Lasselle, Lemon, Lopp, Major, Miller of Clinton, Milroy, Newcomb, O'Brien, Osborn, Perigo, Reese, Rhoads, Rice, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Spencer, Steward, Stringer, Stuckey, Upson, Veach, Welch, Willis, Woodruff, Woods, Wright and Mr. Speaker—69.

On motion by Mr. Higgins,

The reading of the Journal was dispensed with.

The question being, shall the Journal as prepared by the Clerk, stand as the Journal of Saturday.

It was so ordered.

#### PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. Chambers,

A petition from sundry citizens of Henry county, Indian, praying for the passage of a stringent law for the suppression of the crime of intemperance in our midst.

Which,

On motion,

Was referred to the Committee on Temperance.

Mr. Gregory, of Warren, from the Committee on Education, made the following majority report :

MR. SPEAKER :

The Committee on Education to whom was referred House bill No. 6, to establish an Agricultural College, wherein shall be taught such branches of learning as are related to Agriculture, including the mechanic arts and military tactics, also such other branches of science and literature as the General Assembly or the Trustees of said College shall direct and to appropriate funds for its endowment, support and maintainance, and to provide a Board of Trustees for its management, have had that subject under consideration, and since it was referred to the Committee several other matters relating to the same subject, have been placed before the Committee which have likewise been duly considered. The several propositions thus referred to the Committee may be briefly stated as follows :

1st. House bill No. 6 which proposes to locate the College at Bloomington in connection with the State University.

2nd. A bill to establish professorships in five different Colleges of the State to be endowed by the funds donated by the United States for that purpose, and a board of research established at some central position in the State.

3d. A bill merely to accept the grant from the United States and appropriating commissions to sell the scrip donated, and invest the proceeds in lands, leaving the establishment and location of the College to future legislation.

4th. Propositions from Stockwell and the Tippecanoe Battle Ground and from Richmond, offering liberal donations to the State as inducements for the establishment of the College at the places respectively.

By the 3d clause of the 5th section of the act of Congress making the grant, it is provided that "any State which may take and claim the benefit of the provisions of this act, shall provide within five years at least not less than one College as described in the fourth section of this act, or the grant to such State shall cease, and said State shall be bound to pay the United States the amount received of any lands previously sold."

The act was approved July 2d, 1862, and this limitation expires therefore, on the 2d day of July, 1867. Should this Legislature fail to provide a College, within the meaning of this clause of the act, there is obvious danger that the grant as far as this State is concerned, may be forfeited, as after the next General Assembly there will not be sufficient time in which to provide such College. For supposing the Legislature at its next session shall enact the necessary law in the first week of its session, there will be less than six months to elapse until the limit shall have been passed. Hence we believe it would be unwise in this Legislature to postpone the establishment of the College beyond its present session.

The majority of the Committee therefore are of the opinion that the College should be established and located by the Legislature at the present session and that the College thus established should be separate, distinct and independent of any other existing institution of learning.

Three propositions, as before stated, have been made to the State and referred to the Committee, the acceptance of any one of which, might form the basis upon which to enact a law to establish and locate the College. Two of these propositions come from the county of Tippecanoe, one from the village of Stockwell, and the other from the Tippecanoe Battle Ground. In each of these propositions a College building, capable of accommodating from three hundred to four hundred pupils, is offered to the State as a gratuity, on condition that it shall become the seat of the Agricultural College.

With the College building at Stockwell, it is proposed to convey to the State, one hundred and sixty acres of land, besides the College campus, which comprises some twelve acres. With the College



building at the Battle Ground, beside the College campus, covering some nine acres of land, a donation of near two hundred acres in the immediate vicinity of the College, and ten thousand dollars in money are offered, and also one hundred acres of other lands situate more remote from the College.

The persons offering their donations both at Stockwell and the Battle Ground, express the opinion that the property thus offered is worth in each instance, one hundred thousand dollars. Citizens of Wayne county have made an offer of the sum of one hundred thousand dollars for the purpose of securing the location of the College in their county at Richmond.

All these offers are from responsible parties, who hold themselves in readiness to place the funds and evidences of title at the disposal of the State immediately.

The Committee have fully considered all these propositions, not only as to the value in money of the proffered donations, but also with reference to the eligibility and fitness of the respective locations named. Adjoining the College campus at the Tippecanoe Battle Ground is a tract of about fifteen acres of land, donated to the State by Gen. John Tipton, one of the actors in the memorable battle fought on that ground November 7th, 1811. This tract of fifteen acres is the battle field, and was donated to the State that it might be held as consecrated ground. It is sacred to every Indianian. Patriotism and regard for the heroes who then bravely fought and fell, demand that we protect and hallow it. Even in our Constitution we have recorded a solemn obligation to do so, which has never yet been met or properly executed.

What more proper place for Indiana's Agricultural College than on the great battle field famous in history. Standing upon this sacred spot, and recalling all the events of that stirring period which culminated in the battle between the hardy pioneers of the west and the followers of the Prophet. We have remembered with pride our constitutional acknowledgement of the great debt we owe the heroes of that time and hoped for the early erection there of some monument worthy those heroes and of our State. The opportunity is presented. What better monument to the heroic dead, the sturdy pioneers of Kentucky and Indiana, than an Agricultural College, designed to educate their descendants. Aside from these considerations we deem the Tippecanoe Battle Ground a location of peculiar fitness for the proposed College. The site of the building already there, is commanding and the surrounding scenery picturesque and delightful. It is in a healthy region, and in the midst of an industrious and enterprising neighborhood. The lands offered to the State, except some small tracts, lie adjoining the College grounds, and embrace every variety of soil, and facing the Louisville, New Albany & Chicago Railroad, which passes through the grounds, and has one of its Stations near the College.

In view of all the foregoing considerations, the majority of the

Committee have arrived at the conclusion that it is the duty of the Legislature forthwith to provide for the establishment and location of the proposed College and that the same be established and located at the Tippecanoe Battle Ground on the lands donated and assessed to the State by Joseph Cooper, Chauncy Jones and others.

We therefore recommend that House bill No. 6, be amended by striking out all after the enacting clause and inserting in lieu thereof the following bill :

"Section 1. That the donation of lands, and other benefits, provided in and by an act of Congress, entitled "an act donating public lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and the Mechanic Arts," approved July 5th, 1862, be, and the same are hereby accepted by the State of Indiana, upon the terms and conditions in said act contained.

"Sec. 2. There is hereby created and established a College in conformity with said act of Congress; the leading object of which shall be to teach such branches of learning as are related to Agriculture and Mechanic Arts, including scientific and classical studies, and Military Tactics; to be known by the name and style of the "Agricultural College of Indiana."

"Sec. 3. There shall be a Board of Trustees appointed, consisting of thirteen citizens of this State, one of whom shall be selected from each Congressional District, and two from the State at large; who are hereby constituted a body corporate, by the name of the "Trustees of the Agricultural College of Indiana," having perpetual succession.

"Sec. 4. The two Trustees from the State at large shall be appointed by the General Assembly, in joint convention, and the rest by the State Board of Education. They shall all hold their office for four years, except as hereinafter provided, and before acting, each shall take an oath or affirmation to support the Constitution of the United States and the Constitution of Indiana, and honestly and diligently perform the duties of his trust.

"Sec. 5. It shall be the duty of said Trustees, or a majority of them, at their first meeting, to organize a Board by electing one of their members as President; and the Board, of which seven members shall constitute a quorum, when so formed shall appoint a Secretary and Treasurer, not members of the Board, who shall severally, before acting in their respective offices, take an oath or affirmation, faithfully and impartially to perform the duties appertaining thereto; and the Treasurer shall give bond, with ————, or more securities, to be approved by said Trustees, in the sum of \$———, payable to the State of Indiana, and conditioned for the faithful discharge of the duties of his office, and accounting for and paying over, upon proper

vouchers, to the person or persons lawfully entitled thereto, all moneys that may come into his hands as such Treasurer; which bond shall be deposited in the office of the Secretary of State.

“Sec. 6. The Board of Trustees shall have power to enact all necessary by-laws, rules and regulations for the good order and government of said corporation, not inconsistent with the Constitution and Laws of the United States, or of this State; to sit upon their own adjournments not less than once in each quarter; to take, hold, enjoy, and transfer all species of property; to have and use a common seal; to receive any grant, gift, donation, bequest, or conveyance; and hold, enjoy and dispose of the same for the use of said corporation; to elect a President of said College, and such professors, tutors, instructors, and other officers of the same, as they may judge necessary, and to determine the duties, salaries, emoluments, responsibilities and tenures of their several offices; to designate the course of instruction in said College; to remove any one of their own body for misconduct, breach of by-laws, or immorality; to remove, at any time they may deem it for the good of the institution, any of the officers of said College, and appoint others in their stead; to prescribe the rules of admission and rates of tuition; to grant and confer degrees and diplomas, and to do and perform all other acts necessary to promote the interest and welfare of said College. Each Trustee shall be entitled to \$—— a day, while in the actual performance of his duty.

“Sec. 7. Said Board of Trustees shall provide suitable grounds for exercises in the military art; and shall procure such arms, accoutrements, equipments, books, and instruments, as may be deemed necessary for imparting to students in said College a thorough knowledge of military tactics and engineering.

“Sec. 8. Said Board of Trustees shall provide such suitable farm or farms as may be necessary for making experiments in Agriculture; and shall procure such implements, books, apparatus and materials, as may be necessary for the instruction of the students in said College in such branches of learning as are related to Agriculture and the Mechanic Arts.

“Sec. 9. Free Scholarships shall be allowed to each Representative and Senatorial District of the State, equal to its representation in the General Assembly, preference being given to the children of soldiers who have served their country in the present war; each Senator and Representative having the right of designating a student. Where the right of appointing is divided between two or more, it shall be determined by lot.

“Sec. 10. The Governor shall, *ex-officio*, have the right of appointing a student to a free Scholarship from each Congressional District

of the State ; and the Trustees may, in their discretion, and on such rules and regulations as they may prescribe, admit to the privileges of said College such other number of students as the interests of the Institution will permit.

“Sec. 11. The Governor, the President of the Indiana State Board of Agriculture, the Superintendent of Public Instruction, the Chief Justice of the Supreme Court, the President of the State University at Bloomington, and the Adjutant General shall, *ex-officio*, be, and are hereby appointed a Board of Visitors, three of whom shall constitute a quorum, whose duty it shall be to visit annually said College, inspect its property, real and personal; examine the course of instruction adopted and practiced by the Faculty; review the proceedings of the Board of Trustees, and their by-laws, and recommend to the Board such alterations and amendments as they may deem necessary for the good of the Institution; and investigate the financial concerns of the corporation, examining, if necessary, the books of the Treasurer, or any other officer connected therewith. They shall make a report of their examination, inspection, and inquiries, to the General Assembly, at each regular session thereof.

“Sec. 12. The Board of Trustees shall provide for an Annual Report regarding the progress of the College; recording any improvements or experiments made, with their cost and results; and such other matters, including State industrial and economical statistics, as may be supposed useful; one copy of which shall be mailed to each College instituted elsewhere in the United States, under said act of Congress, and one to the Secretary of the Interior of the United States.

“Sec. 13. No acting Trustee shall be eligible to any other office connected with the College; nor shall any religious test or qualification be required from any Trustee, officer or student; nor shall any officer, professor, or instructor, teach, inculcate, or encourage any sectarian principles or tenets to the students thereof.

“Sec. 14. The Governor of the State shall accept and receive from the United States the scrip mentioned in said act of Congress, and the Governor, Secretary, Auditor and Treasurer of State shall, *ex-officio*, constitute a Board of Commissioners, to sell said scrip, and to invest the proceeds thereof as provided for in the next succeeding section of this act; *Provided*, That no part of said scrip shall be sold for a less sum than eighty cents for each acre represented thereby.

“Sec. 15. The gross proceeds arising from the sale of said scrip shall remain forever undiminished, as a perpetual fund, and shall be invested in stocks of the United States, or of the State of Indiana, yielding not less than five per centum upon the par value of said stocks; and the interest of said fund shall forever be inviolably

appropriated to the endowment, support and maintenance of said College; and if any portion of said fund, or the interest thereon arising, shall by any act or contingency, be diminished or lost, it shall be replaced by the State of Indiana; *Provided, however,* That a sum not exceeding ten per centum of the moneys realized from the sale of said scrip may be expended, under future legislation, for the purchase of lands for sites, or experimental farms, connected with and for the use of said College.

“Sec. 16. The State Board of Education shall appoint eleven Trustees, as provided in the third and fourth sections of this act, on or before the \_\_\_\_\_ day of \_\_\_\_\_ next; appointing five to serve for two years, and six for four years; and \_\_\_\_\_ are hereby appointed Trustees for the State at large; the said \_\_\_\_\_ to serve for two years, and the said \_\_\_\_\_ for four years. The successors of each of the said Trustees shall perpetually thereafter hold their office for a term of four years. Vacancies pending a term shall be filled for the unexpired part of the term; but in the case of a Trustee for the State at large, his successor shall be appointed by the Governor, to hold until the Legislature shall appoint.

“Sec. 17. The College herein provided for shall be, and is hereby perpetually located and established at the Tippecanoe Battle Ground, in Tippecanoe county, upon the lands donated and assured to the State by Joseph Cooper, Chauncey Jones, and others; which said lands are hereby accepted by the State as and for a perpetual site for said College.

“Sec. 18. The Board of Trustees, first appointed under section sixteen of this act, shall hold their first meeting in the College building, at the Battle Ground, in Tippecanoe county, on the \_\_\_\_\_ day of \_\_\_\_\_ next, and then and there perfect their organization, as in this act provided; and all subsequent meetings of said Board shall be at the same place.

“Sec. 19. All property, of whatever kind, held by or appertaining to said College, and from whatever source derived, shall be held by the said Trustees, and their successors forever in trust for the State of Indiana, for the uses and purposes mentioned and designated in said act of Congress.

“Sec. 20. An emergency existing, this act shall be in force from and after its passage.”

In which amendment we respectfully ask the concurrence of this House.

Mr. Chambers, from the Committee on Education made the following minority report:

MR. SPEAKER :

The minority of the Committee on Education, to whom was referred House bill No. 6, to establish an Agricultural College, wherein shall be taught such branches of learning as are related to Agriculture, including the Mechanic Arts and Military Tactics, also such other branches of science and literature as the General Assembly or the Trustees of said College shall direct, and to appropriate funds for its endowment, support and maintenance, and to provide a Board of Trustees for its management, have duly considered the same, together with the various other bills and papers upon the same subject, that have been referred to said Committee. The minority of the Committee concur with the report of the majority save as to the location of said College. Your minority would respectfully recommend that sections 17 and 18 of the bill presented by the majority be amended to read as follows:

Section 17. The College herein provided for, shall be, and is hereby perpetually located and established at Richmond, Wayne county, Ind., upon such lands as the Boards of Trustees shall designate.

Sec. 18. The Board of Trustees first appointed under section sixteen of this act, shall hold their first meeting in the city of Richmond on the        day of        next, and there and then perfect their organization as in this act provided, and all subsequent meetings of said Board, shall be at the same place, and when so amended, your minority concur in recommending the passage of said bill.

Your minority beg leave to submit the following as a part of the reasons in determining the location of said College.

*First*, We have considered where its success will be most certain.

*Second*, Accessibility to all parts of the State.

*Third*, The donations tendered.

We believe that an Agricultural College would be more certain of success at Richmond, than in any other part of the State, as agriculture there, has already, to a great extent, been subjected to the rules of science. Her people are pre-eminently an agricultural people, moral, intelligent, enterprising and wealthy. Wayne county itself, is one grand experimental farm upon which the theory of an Agricultural College has been practically and successfully carried out for many years, all the surroundings of Richmond are peculiarly conge-

nial to an institution for the advancement of Agriculture and the mechanic arts.

Access to the location, we the have honor to suggest, is better than that proposed by the majority. The distance is less from the Capital, and this by one railroad line.

In the present financial condition of the State, the donations offered by different localities is a matter of great importance. At Tippecanoe Battle Ground, we are tendered a building which originally cost from eighteen to twenty thousand dollars, together with three hundred acres of land, worth seventy five dollars per acre, amounting to \$22,500, also ten thousand dollars in cash, making in all a donation of \$52,500. But as this building would be entirely inadequate for an institution, such as Congress intended to endow, in order to locate the College here, an appropriation by the State of one hundred thousand dollars would be necessary.

From Wayne county can be obtained \$100,000 and 320 acres of land, worth at least \$48,000. We therefore conclude that the tendered donation from citizens of Wayne county is at least one hundred thousand dollars better than that from any other source, and that here an Agricultural College, with experimental farm attached, can be put into successful operation without any expense to the State, and without taking one cent from the munificent grant of Congress.

The minority readily concur in all that has been said by the majority as to our constitutional and moral obligation to protect the Tippecanoe Battle Ground, and to raise a monument to the heroes who slumber there, but do not believe that the grant of land by Congress, was made for that purpose, nor that the agricultural interests of the State should be sacrificed to that end.

Unanimous consent was given Mr. Stuckey to also make a minority report on the same subject to-morrow morning.

On motion by Mr. Hamrick,  
The majority and minority reports were laid on the table.

Mr. Boyd, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the Claim of Hon. Joseph E. McDonald, for the sum of one thousand and five hundred dollars for services rendered the State in procuring the cancellation of fraudulent Indiana Bonds, have had the same under consideration, and would recommend that the claim be allowed and referred to the Committee of Ways and Means to be incorporated in the Special Appropriation bill for payment.

Which,

On motion,

Was referred to the Committee of Ways and Means, with instructions to incorporate the claim in the Specific Appropriation bill.

Mr. Reese, from a Select Committee, made the following majority report:

MR. SPEAKER:

The Special Committee on Constitutional amendments to whom was referred the petition of Calvin Fletcher, Sr., and four hundred and fifty-two other christian gentlemen, have had the same under consideration and a majority of said Committee have directed me to introduce the accompany resolution and amendment to the preamble to the Constitution of the State of Indiana and recommend the passage of the same.

We recommend these amendments, first, because they contain nothing but pure christian patriotism, are not sectarian, but like the Bible, are of universal application and will secure the life and salvation of this nation, for it is written in the Holy Prophecies that "the nations that forget God shall be utterly wasted and perish from off the face of the earth." Secondly, it is in perfect harmony with our republican form of government, only proposing to acknowledge God's Divine authority in the affairs of men, and christianizing and making ours the model government of the earth, and what is required by Gods moral ordinance to man for good, and what all nations of the earth must and will be in that good time coming, when all shall become christian Republics. The people under God being the source of all power in civil government, none other can have God's favor.

Thirdly, we recommend these amendments because they harmonize our form of Government with chistianity, State, national and over all the Divinely instituted governments of God from whom all power is derived. All despotisms must perish off the earth because of their transgression.

Fourthly, by adopting these amendments we will propitiate the favor of Him who chastiseth nations for national sins, and when all nations recognize the authority and government of God, and practice the precept taught by His Son, then wars shall cease and the millenium begin, and all the people shall dwell together in peace and harmony.

Which,

On motion,

Was laid on the table.

Mr. Lasselle, from the same Committee, made the following minority report:

MR. SPEAKER:

The undersigned, members of the Select Committee on Constitutional Amendments, to whom were referred the petitions of various citizens, praying that an amendment be proposed to the preamble of the Constitution of the State, "acknowledging Almighty God as the



source of all authority and power in civil government; the Lord Jesus Christ as the ruler among nations, and His revealed will as of Supreme authority," have had the same under consideration, and beg leave to submit the following as a minority report of the matters therein referred to :

The proposed amendment is prayed for by gentlemen of the Christian faith. The present Constitution of the State fully acknowledges the existence and supremacy of Almighty God, according to the christian faith, in the orthodox acceptance. The Lord Jesus Christ is God. The Constitution, therefore, according to the belief of the petitioners themselves, already sufficiently acknowledges the supremacy of the Savior, Lord Jesus Christ, and any further amendment of the Constitution, in this respect, can not be necessary to them.

The State of Indiana is not a theocracy, nor a hierarchy, but a civil or political organization, instituted by the people of the State, under the sanctions of the Constitution, "to the end that justice be established, public order maintained, and liberty perpetuated." To secure these objects certain inherent rights are defined, and equally guaranteed to every citizen. Among these rights stand pre-eminent the right to the enjoyment of religious opinions. Thus, the Constitution opens with the following guaranties :

"Sec. 2. All men shall be secured in their natural right to worship Almighty God, according to the dictates of their own consciences :

"Sec. 3. No law shall, in any case whatever, control the free exercise and enjoyment of religious opinions, or interfere with the rights of conscience.

"Sec. 4. No preference shall be given, by law, to any creed, religious society, or mode of worship ; and no man shall be compelled to attend, erect, or support any place of worship, or to maintain any ministry against his consent.

"Sec. 5. No religious test shall be required as a qualification for any office of trust or profit.

"Sec. 6. No money shall be drawn from the Treasury for the benefit of any religious or theological institution.

"Sec. 7. No person shall be rendered incompetent as a witness in consequence of his opinions on matters of religion."

From the above provisions of our matchless Constitution, there is no mistaking the sentiment of the people of Indiana on the question of the right to the full and unrestricted enjoyment of religious opinions. Notwithstanding their own predilections, they fully accord to each other, however diversant, the undisputed possession of this nat-

ural right, having learned enough of the bigotries, persecutions and miseries that have oppressed other nations by an abandonment of this policy. They seem to be immoveably settled upon this principle.

Among the people of Indiana there are many citizens, religionists and non-religionists, who do not coincide with the petitioners in their creed, as to the character of the Lord Jesus Christ; whether wrong or not, is of no consequence to the remaining portion of the people of Indiana as citizens of a State. They may deem them wrong in a religious point of view, yet grant them the same right of opinion as they themselves enjoy, as citizens under the Constitution of the State. Simply acknowledging the supremacy and beneficence of an Almighty God, about which there can be no controversy among the nations of the earth, the people of Indiana leave all questions, affording any grounds for differences of religious opinions, to the sole determination of each individual.

Governed by this principle of equal, exact justice, they have grown prosperous, united and happy. Any innovation in this respect, however trivial or necessary it may seem to some, might eventually precipitate us into those religious strifes and oppressions, that have disturbed the peace and liberties of other nations. We are, therefore, satisfied that the adoption of the proposed amendment would be destructive of natural right, hostile to the true policy and intents of the State, and that the same is not desired by the people.

In addition to the foregoing considerations, there is another objection to the adoption of the proposed amendment, which, to the undersigned, appears insurmountable. It declares the "Lord Jesus Christ as the ruler among the nations, and His revealed will as of supreme authority."

This proposition is intended to fix a standard of government for the people paramount to all temporal enactments, constitutional or legislative, and to introduce into this State that "higher law" doctrine, by which each citizen is to be governed by the sanctions of his own conscience, or by his own construction of the "revealed will."

The Constitution of this State, as it now stands, is simple in its terms, easily understood by all, and universally agreed to as interpreted by the people, or as expounded by the Supreme Court. On this point there seems to be no diversity of sentiment. But for many ages passed there have been wide differences of opinion among christian nations, and communities themselves, as to what the "revealed will" was upon many vital questions. And there appears to be no diminution of this diversity of opinion. Under the proposed standard of "supreme authority," the inevitable result would be collisions of greater or less extent among christian communities themselves, eventuating in the supremacy of one party over all the others. Under these circumstances it would be extremely perilous, if not certainly futile, to the people of Indiana to surrender their present form of government, so plain and certain in its character, and so beneficent in its operations, for one so impracticable in its aspects.

For the reasons thus briefly, and but partially given, the under-

signed beg leave to report that they deem the adoption of the proposed amendment to the preamble of the Constitution of the State as unnecessary and inexpedient, and recommend that the petitions praying for the same do lie upon the table.

CHARLES B. LASSELLE,  
JAMES HARRISON.

Which,

On motion,

Was laid on the table.

Message from the Governor, by Mr. B. R. Sulgrove, his Private Secretary.

STATE OF INDIANA, EXECUTIVE DEPARTMENT, }  
Indianapolis, February 27, 1865. }

*To the House of Representatives of the General Assembly of the State of Indiana :*

I have the honor to lay before you the accompanying report of Hon. Joseph E. McDonald, Commissioner, appointed under a concurrent resolution of the last General Assembly, by the Governor, Auditor and Treasurer of State, to investigate the condition of the fraudulent certificates of Indiana five per cent. stocks, and to procure the cancellation and surrender.

O. P. MORTON,  
*Governor of Indiana.*

*To His Excellency, Gov. O. P. Morton :*

SIR:—At the close of the last session of the General Assembly, a concurrent resolution was adopted, authorizing the Governor, Auditor and Treasurer of State to appoint a Commissioner to investigate the condition of the fraudulent certificates of Indiana five per cent stocks, and to procure their cancellation and surrender.

On the 17th of March, 1863, the undersigned was duly appointed and commissioned by the above named officers, under said resolution, and has, from time to time, since then, been engaged in the performance of the duties intrusted to him.

It is known to your Excellency that the professional engagements of the undersigned, connected with the legal investigations previously made, had brought to his knowledge many of the facts connected with the origin and extent of the bonds in question. The whole amount of these Bonds, from the first issue to the last, as near as the undersigned has been able to ascertain them, was about \$2,440,000.

They were all of one plate and taken from the same book of blanks, and were variously dated from February to June, 1859, during the time Jas. H. Cravens was Agent of State; their issue did not, however, begin until November or Decembor, 1860, long after

he had gone out of office, and was continued through 1861 and up to May, 1862.

They were all made payable to Samuel Hallett with, perhaps, three exceptions, and were put upon the market by Hallett, then doing business as a broker in New York, for moneys advanced on them as securities. Up to the time the undersigned was appointed under the resolution referred to, there had been cancelled, by Hallett and Jerome, parties holding these Bonds, and in pursuance of an arrangement made for that purpose, between Mr. Hallett and Col. Hudson, then Agent of State, about \$1,295,000, leaving still outstanding about \$1,145,000. These outstanding Bonds were held by banks and individuals, as follows:

The Park Bank.....	\$375,000
“ Continental Bank.....	185,000
“ Atlantic Bank.....	15,000
Bigelow and Hoagland.....	19,000
The Manhattan Savings Bank.....	70,000
George Binkley.....	20,000
James Cronkbuts.....	20,000
Mason & Hartshorn.....	30,000
Leonard W. Jerome.....	411,000
Total.....	<u>\$1,145,000</u>

All of these parties claimed to be *bona fide* holders for money advanced to Samuel Hallett & Co., in good faith. This was not disputed by Mr. Hallett, except as to L. W. Jerome. The undersigned learned from Hallett that he had arranged with the various holders (except Jerome) for the payment of their respective claims, and that these claims were then in the process of liquidation and payment, and that, as to the Bonds held by L. W. Jerome, he expects to relieve them, by settlement with L. W. Jerome, and, upon gaining control of the Bonds, he would surrender them to me for cancellation. At the time these arrangements were made, as near as I could learn, the debts for which these Bonds were held were as follows:

The Park Bank.....	\$120,000
“ Atlantic Bank.....	9,000
Bigelow & Hoagland.....	10,000
The Manhattan Savings Institue.....	41,000
George Binkley .....	10,000
Jas. Cronkbuts.....	9,000
Mason and Hartshorn.....	8,000
Total .....	<u>274,000</u>

The state of accounts between Hallett and L. W. Jerome, as connected with these bonds, was not finally adjusted, and as far as the undersigned could learn, was in dispute, Mr. Jerome claiming a much

larger balance than Mr. Hallett was willing to admit. The undersigned had no doubt, from the time he became aware of the facts connected with the execution and issuance of these bonds, that as against the State of Indiana, they created no liability. They were simply forgeries, having been countersigned in the name of an Agent of State not at the time in office, and were issued after the repeal of the law authorizing the use of the blanks which were filled up and therefore the undersigned did not doubt the right of the State to compel by suit, a cancellation of the bonds, by whomsoever held, but as the parties holding them claimed to have taken them in good faith, and had a right to look to Mr. Hallett for repayment of the money, they had advanced on the faith of securities, apparently genuine, it was thought best not to commence legal proceedings that might embarrass them in their collections, but to take such precautions as might be advisable, to prevent the further use of the bonds, if at any time there should be danger of this being done, at the same time to make arrangements with Mr. Hallett for the surrender and cancellation of such as should be relieved by the process of payment then in operation.

To accomplish these purposes, the undersigned has visited New York from time to time and has the satisfaction of reporting, that, in pursuance of the arrangement with Mr. Hallett above referred to, he has been enabled to cancel, by burning, the following amounts which Mr. Hallett has released in his adjustments with the holders.

Continental Bank.....	\$185,000
Bigelow & Hoagland.....	19,000
George Binkley.....	20,000
Mason & Hartshorn.....	30,000
Leonard W. Jerome.....	108,000
<hr/>	
Total .....	362,000

Leaving yet outstanding in the hands of the following parties the following amounts :

The Park Bank.....	\$375,000
Atlantic Bank.....	15,000
Manhattan Savings Institute.....	70,000
Jas. Cronkbutts.....	20,000
L. W. Jerome.....	304,000
<hr/>	
Total outstanding.....	784,000

The death of Samuel Hallett, which occurred in July last, has put a stop to the payments by which he was relieving the bonds from the loans which encumbered them, and his estate from the best information the undersigned could obtain, was regarded as largely insolvent, so that no more payments will be probably made.

The present claims against the estate of Hallett, by parties holding these bonds, as near as could be ascertained, is as follows :

The Park Bank from \$800 to.....	\$1,000
Atlantic Bank (?).....	9,000
Manhattan Savings Institute.....	20,000
Jas. Cronkbuts.....	3,000

The amount claimed by L. W. Jerome, although promised, has not been furnished, and cannot be therefore stated with any accuracy. At one time when a partial surrender was made by Jerome to Hallett of bonds, held by him, the undersigned was informed by the attorneys of both parties, that Mr. Jerome while claiming a larger sum as due from Hallett, agreed to surrender all the bonds in his hands upon receiving a certain amount of stock in satisfaction, and which Hallett furnished, less the coupons however for six months, making a sum of \$3,000, and on account of this Mr. Jerome, while he took the stocks declined to give up the bonds. If this may be regarded as the present claim of Mr. Jerome, added to the amount above stated, it makes the present demand of the holders \$36,000.

The claim of the Park Bank is not on account of the original loan, but for alleged costs and attorney's fees, for the Bank holds Samuel Hallett's promise. The bonds held by this Bank would most probably have been surrendered to Mr. Hallett in his lifetime, and cancelled by the undersigned, but for a notice served on the Bank by L. W. Jerome pending his attempt to settle with Hallett, and under which the Bank declined to pay over any balances of stock to Hallett. This notice the undersigned has induced Mr. Jerome to withdraw, but the death of Mr. Hallett, has for the time being at least, prevented the surrender of these bonds to the State.

The present holders profess to look to the State of Indiana for the final payment of what is due from Mr. Hallett's estate to them, before they will give up the bonds to the State, but in no instance has the undersigned recognized this claim, either directly or indirectly, or held out any hope that it would be recognized by the State, believing as he does that no legal liability rests upon the State on account of the bonds; but at the same time, it is quite certain that their existence has acted injuriously upon the credit of the State, and it is important to be relieved from the unfavorable impression caused by them.

Since the death of Mr. Hallett has stopped the payment on the loans for which the bonds are held, it will become necessary for the State, if she desires wholly to remove this cloud from her credit, to either make some adjustment with the holders for their surrender, or bring suit for their cancellation as forgeries. The undersigned has no doubt of the right of the State to compel cancellation by suit, but it may be possible to procure their amicable surrender at as little cost to the State, as a suit or suits maintained at that distance could not fail to be expensive, and therefore the undersigned suggests, if further

efforts are made to cancel those still outstanding, that the agent be vested with some discretion, under the direction of the Governor, to adjust and compromise the claims against them, as well as to see if a favorable settlement cannot be made.

The undersigned has now made four trips in all, to New York, in furtherance of the commission entrusted to him, and in connection with F. Kibby, Esq., late Attorney General, and from whom he derived great assistance, and if more complete success has not crowned his efforts, it has been on account of circumstances he could not control, and is of the belief that other well directed efforts will prove successful.

All of which is respectfully submitted.

J. E. McDONALD,  
*Commissioner.*

On motion by Mr. Buskirk,

The message from the Governor was laid on the table, and three hundred copies of the accompanying report ordered printed.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof, to-wit:

Engrossed Senate bill No. 20. An act to amend sections one and two of an act entitled "an act to fix the per diem and mileage of members of the General Assembly, Secretaries, Clerks, and Door-keepers," approved June 4th, 1852.

In which the concurrence of the House is respectfully requested.

The pending question on Saturday being, shall the decision of the Chair stand as the judgment of the House?

Mr. Brown asked to be excused from voting.

Objection being made by Mr. Beckett,

Messrs. Coffroth and Spencer demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Brown, Burnes, Church, Coffroth, Collins, Croan,



Groves, Hargrove, Kilgore, Lasselle, Lemon, Milroy, Shoaff of Allen, Shoaff of Jay, Spencer, Stuckey and Wright—18.

Those who voted in the negative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burwell, Buskirk, Cook, Crook, Dunham, Emerson, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Hamrick, Henricks, Hershey, Higgins, Hogate, Howard, Hunt, Johnson, Lane, Lockhart, Lopp, Major, Montgomery, McVey, Newcomb, O'Brien, Osborn, Perigo, Rice, Richards, Richardson, Riford, Roach, Sabin, Sim, Steward, Stivers, Stringer, Upson, Welch, Willis, Woodruff, Woods, and Mr. Speaker—48.

So Mr. Brown was not excused.

Mr. Spencer asked to be excused from voting.

Objection being made by Mr. Dunham,

Messrs. Brown and Lemon demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Beckett, Bird, Coffroth, Collins, Croan, Hargrove, Kilgore, Lemon, Stuckey, Woods and Wright—12.

Those who voted in the negative were,

Messrs. Boyd, Branham, Brown, Burwell, Chambers, Cook, Crook, Emerson, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Hamrick, Henricks, Hershey, Higgins, Hogate, Hunt, Johnson, Lane, Lockhart, Lopp, Major, Miller of Clinton, Montgomery, McVey, Newcomb, Perigo, Rice, Richards, Richardson, Riford, Shoaff of Jay, Steward, Stivers, Stringer, Upson, Welch, Willis, Woodruff and Mr. Speaker—42.

So Mr. Spencer was not excused.

The question being on, shall the ruling of the Speaker stand as the judgment of the House; on the appeal taken by Mr. Dunham, on Saturday last.

Messrs. Coffroth and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cook, Crook, Emerson, Ferris, Goodman, Gregory of Mont-



gomery, Gregory of Warren, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Lane, Lockhart, Major, Montgomery, McVey, Newcomb, Rice, Riford, Sabin, Shuey, Stivers, Steward, Stringer, Upson, Welch, Willis, Woodruff, Woods and Wright—41.

Those who voted in the negative were,

Messrs. Beckett, Bird, Brown, Burwell, Buskirk, Coffroth, Croan, Dunham, Glazebrook, Hargrove, Howard, Humphreys, Hunt, Lasselle, Lemon, Lopp, Miller of Clinton, Milroy, O'Brien, Osborn, Perigo, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Spencer and Stuckey—28.

So the decision was sustained.

The question being on adopting the resolution offered by Mr. Branham on Saturday,

Mr. Brown moved that the House do now adjourn.

Messrs. Beckett, Brown, Bird, Burwell, Buskirk, Coffroth, Dunham, Glazebrook, Hunt, Lemon, Lopp, Milroy, Shoaff of Allen, and Spencer, demanded the ayes and noes.

Mr. Dunham offered the following:

"I move that when the House adjourns, it adjourn to meet on Tuesday next, (to-morrow,) at 9 o'clock."

Mr. Coffroth offered the following:

"Upon the pending motion to adjourn, I ask to be excused from voting."

Objection being made by Mr. Brown,

Messrs. Coffroth and Beckett demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Bird, Croan, Groves, Kilgore, Lasselle, Lemon, Milroy, O'Brien, Reese, Rice, Spencer, and Wright—13.

Those who voted in the negative were,

Messrs. Atkinson, Boyd, Branham, Brown, Burwell, Buskirk, Chambers, Church, Cook, Crook, Dunham, Emerson, Ferris, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, Johnson, Lane, Lockhart, Lopp, Major, Miller of Clinton, Miller of Tippecanoe,

noe, Montgomery, McVey, Newcomb, Osborn, Perigo, Richards, Richardson, Riford, Shoaff of Allen, Shoaff of Jay, Sim, Steward, Stringer, Upson, Welch, Woodruff, Woods, and Mr. Speaker—49.

So Mr. Coffroth was not excused.

Mr. Dunham asked to be excused from voting on the proposition made by himself.

Mr. Brown objected.

Messrs. Brown and Spencer demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Groves, Hargrove, Hunt, Kilgore, Lemon, Milroy, Shoaff of Allen, Shoaff of Jay, Spencer and Woods—11.

Those who voted in the negative were.

Messrs. Atkinson, Beckett, Boyd, Branham, Brown, Burwell, Buskirk, Church, Cook, Crook, Dunham, Emerson, Ferris, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Hamrick, Henricks, Hershey, Higgins, Hoover, Humphreys, Johnson, Lane, Lockhart, Lopp, Miller of Clinton, Montgomery, McVey, Newcomb, Osborn, Perigo, Richards, Richardson, Riford, Sim, Steward, Stivers, Stringer, Upson, Welch, Willis, Woodruff, Wright and Mr. Speaker—46.

So Mr. Dunham was not excused.

Mr. Henricks made the following point of order:

MR. SPEAKER:

I make the following point of order:

“Section twelve of Article four of the Constitution, among other thing, provides that “the ayes and nays on any question shall, at the request of any two members, be entered, together with the names of the members demanding the same, on the Journal.” The subject of that article being legislative, the term question must mean a legislative question, or a question having some relation or connection with the subject of legislation. The mere request to be excused from voting, and especially to be excused from voting on a motion to adjourn, which of itself is only to determine when the House shall be in session, and has no reference to what it shall do, can not be regarded as a legislative question. The request to be excused from voting on the motion to adjourn, now pending before the House, made

by the gentleman from Huntington, can not be regarded as a legislative question under the Constitution, unless we admit that the framers of that instrument intended to place it in the power of a few members of the House to stop all legislation by consuming the time of the House in calling the ayes and nays on questions having no reference to legislation, and thereby filling the Journal of the House with a large amount of useless matter, involving a heavy expense to the State for printing. For these, and other reasons, I make the point of order, that no two members have a right, under the Constitution, to demand the ayes and nays on a mere request of a member to be excused from voting."

Which was over-ruled by the Speaker.

Mr. Milroy asked, that on the pending question, to be excused from voting.

Objection being made by Mr. Dunham,

Messrs. Spencer and Brown demanded the ayes and noes.

Those voting in the affirmative were.

Messrs. Bird, Brown, Croan, Lemon, O'Brien, Reese, Sabin, Shoaff of Allen, Shoaff of Jay and Sim—10.

Those who voted in the negative were,

Messrs. Beckett, Boyd, Branham, Burwell, Buskirk, Church, Cook, Crook, Emerson, Ferris, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, Johnson, Lane, Lockhart, Lopp, Major, Miller of Clinton, Montgomery, McVey, Newcomb, Osborn, Perigo, Rhoads, Rice, Richards, Richardson, Riford, Spencer, Stivers, Stringer, Upson, Welch, Willis, Woodruff, Woods, Wright and Mr. Speaker.—48.

So Mr. Milroy was not excused.

Mr. Spencer offered the following;

"I ask to be excused from voting upon the question now pending before the House for adjournment."

Objection being made by Mr. Beckett,

Messrs. Lemon and Milroy demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Brown, Church, Groves, Hargrove, James, Kilgore, Lemon, Milroy, Reese, Shoaff of Jay, Sim, and Spencer—13.

Those who voted in the negative were.

Messrs. Atkinson, Beckett, Boyd, Branham, Burwell, Buskirk, Cook, Crook, Dunham, Emerson, Ferris, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Hamrick, Henricks, Higgins, Hogate, Hoover, Lane, Lockhart, Lopp, Major, Miller of Clinton, Montgomery, McVey, Newcomb, Osborn, Perigo, Rhoads, Rice, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Steward, Stivers, Stringer, Upson, Welch, Willis, Woodruff, Woods, Wright, and Mr. Speaker—47.

So Mr. Spencer was not excused.

On motion by Mr. Griffith,  
The House adjourned.

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2 O'CLOCK, P. M.

The House met.

The pending question being on the adoption of the resolution offered by Mr. Branham, on Saturday last.

Mr. Dunham offered the following:

"I move that when the House adjourn, it adjourn to meet on Wednesday of this week, at 12 o'clock, M."

The ayes and noes were demanded by Messrs. Beckett, Bird, Brown, Burwell, Buskirk, Coffroth, Dunham, Glazebrook, Lemon, Lopp, Milroy, Shoaff of Allen, and Thatcher.

Mr. Brown asked to be excused from voting on the pending question.

Objection being made by Mr. Dunham,

Messrs. Brown and Spencer demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Brown, Church, Coffroth, Foulke, Groves, Kilgore, Lasselle, Lemon, Milroy, Spencer and Wright—12.

Those who voted in the negative were,

Messrs. Abbett, Banta, Beckett, Boyd, Branham, Burnes, Burwell, Buskirk, Cook, Cox, Crook, Dunham, Ferris, Goodman, Gregg, Glazebrook, Gregory of Montgomery, Gregory of Warren, Hamrick, Harrison, Henricks, Higgins, Hogate, Hoover, Howard, Hunt, Johnson, Lane, Lockhart, Lopp, Major, Miller of Clinton, Montgomery, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Rice, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Steward, Stenger, Stivers, Stuckey, Veach, Welch, White, Willis, Woodruff, Woods, and Mr. Speaker—50.

So Mr. Brown was not excused.

Mr. Bird offered the following :

Upon the pending question to adjourn, I ask to be excused from voting.

Objection being made by Mr. Brown,

Messrs. Dunham and Spencer demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Church, Coffroth, Groves, Hoover, Hunt, Kilgore, Lasselle, Lemon, Milroy, Spencer and Thatcher—11.

Those who voted in the negative were,

Messrs. Abbett, Banta, Beckett, Bird, Boyd, Branham, Brown, Burwell, Buskirk, Chambers, Cook, Cox, Crook, Dunham, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Hamrick, Harrison, Henricks, Higgins, Hogate, Howard, Johnson, Lane, Lockhart, Lopp, Major, Miller of Clinton, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Rice, Richardson, Riford, Sabin, Shoaff of Allen, Steward, Stenger, Stivers, Stuckey, Veach, Welch, White, Willis, Woodruff Wright and Mr. Speaker—55.

So Mr. Bird was not excused.

Mr. Lemon offered the following :

I ask to be excused from voting on the question now pending before this House.

Objection being made by Mr. Spencer,

Messrs. Brown and Burwell demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Brown, Buskirk, Church, Coffroth, Groves, Kilgore, Lemon, Lockhart, Milroy, Rice, Spencer, Stivers and Stuckey—13.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Banta, Branham, Burwell, Chambers, Cook, Crook, Dunham, Foulke, Goodman, Glazebrook, Gregg, Gregory of Warren, Hamrick, Hargrove, Harrison, Henricks, Higgins, Hoover, Hunt, Johnson, Lane, Lockhart, Lopp, Major, Meredith, Miller of Clinton, McVey, Newcomb, Olleman, Osborn, Patterson, Rhoads, Richardson, Riford, Sabin, Steward, Stenger, Thatcher, Upson, Veach, Welch, White, Willis, Woodruff and Mr. Speaker—47.

So Mr. Lemon was not excused.

Mr. Buskirk offered the following :

I ask to be excused from voting on the motion pending for an adjournment.

Objection being made by Mr. Spencer,

Messrs. Milroy and Bird, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Buskirk, Church, Coffroth, Howard, Kilgore, Lasselle, Lemon, Lopp, Milroy, Shoaff of Allen and Spencer—12.

Those who voted in the negative were,

Messrs. Atkinson, Banta, Bonner, Branham, Brown, Burwell, Crook, Dunham, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Hargrove, Henricks, Harrison, Hershey, Hogate, Hoover, Hunt, Johnson, Lane, Lockhart, Major, Meredith, Miller of Clinton, Montgomery, Newcomb, Olleman, Osborn, Patterson, Rice, Riford, Sabin, Steward, Stenger,

Stiuers, Stuckey, Thatcher Upson, Veach, Welch, White, Willis, Woodruff Wright and Mr. Speaker—50.

So Mr. Buskirk was not excused.

Mr. Brown offered the following:

I move to reconsider the vote by which the gentleman from Monroe was excused from voting on the pending question.

Which the Speaker decided to be out of order.

Whereupon Messrs. Brown, Dunham, Spencer, Thatcher and Coffroth, submitted the following appeal:

The undersigned respectfully appeal from the decision of the Chair to the judgment of the House wherein the Chair decided that it was not competent to move to reconsider the vote by which the gentleman from Monroe was not excused from voting on the pending question before the House.

JASON B. BROWN,  
C. S. DUNHAM,  
ELIJAH M. SPENCER,  
GEO. C. THATCHER,  
J. R. COFFROTH.

Pending which,  
Mr. Dunham moved that the House do now adjourn.

Messrs. Bird, Buskirk, Dunham, Glazebrook, Harrison, Howard, Lemon, Montgomery, Spencer and Thatcher, demanded the ayes and noes.

Pending which,  
Mr. Spencer offered the following:

I ask to be excused from voting upon the motion now pending before the House to adjourn.

Objection being made by Mr. Dunham,

Messrs. Brown and Bird, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Brown, Church, Coffroth, Dunham, Groves, Lasselle, Lemon Milroy, Montgomery, O'Brien, Shoaff of Allen, Shoaff of Jay and Thatcher—13.

Those who voted in the negative were,

Messrs. Atkinson, Bird, Bonner, Branham, Burwell, Buskirk, Cox, Crook, Emerson, Ferris, Goodman, Glazebrook, Gregg, Hamrick, Hargrove, Harrison, Henricks, Higgins, Hogate, Hoover, Hunt, Johnson, Kilgore, Lane, Lockhart, Lopp, Major, Meredith, Miller of Clinton, McVey, Newcomb, Olleman, Rice, Riford, Sabin, Steward, Stringer, Stenger, Upson, Veach, Welch, White, Willis, Woodruff and Mr. Speaker—47.

So Mr. Spencer was not excused.

Mr. Dunham offered the following :

I ask to be excused from voting upon the pending motion that the House do now adjourn.

Objection being made by Mr. Bird,

Messrs. Dunham and Spencer, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Church, Coffroth, Groves, Kilgore, Lemon, Milroy, O'Brien, Shoaff of Allen, Shoaff of Jay, Spencer, Thatcher and Woodruff—13.

Those who voted in the negative were,

Messrs. Abbott, Atkinson, Beckett, Bonner, Branham, Burwell, Chambers, Cox, Crook, Emerson, Ferris, Gregg, Gregory of Montgomery, Gregory of Warren, Hamrick, Hargrove, Harrison, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, Johnson, Lane, Lockhart, Lopp, Meredith, Miller of Clinton, Montgomery, McVey, Newcomb, Olleman, Patterson, Rice, Riford, Sabin, Steward, Stenger, Stringer, Stuckey, Upson, Veach, Welch, Willis and Mr. Speaker—46.

So Mr. Dunham was not excused.

Mr. Milroy offered the following :

MR. SPEAKER :

Upon the pending motion I ask this House to excuse me from voting.

Objection being made by Mr. Dunham,

Messrs. Brown and Spencer demanded the ayes and noes.



Those who voted in the affirmative were,

Messrs. Bird, Burwell, Buskirk, Church, Coffroth, Groves, Kilgore, Lemon, Milroy, O'Brien, Shoaff of Allen, Shoaff of Jay, Spencer, Thatcher and Woods—15.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Beckett, Bonner, Branham, Brown, Chambers, Croan, Crook, Emerson, Ferris, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Hamrick, Hargrove, Harrison, Henricks, Higgins, Hogate, Hoover, Howard, Hunt, Johnson, Lane, Lockhart, Lopp, Major, Meredith, Montgomery, McVey, Newcomb, Olleman, Patterson, Perigo, Richardson, Riford, Sabin, Steward, Stenger, Stringer, Stuckey, Upson, Veach, White, and Willis—48.

So the gentleman was not excused.

Mr. Beckett offered the following:

“Upon the motion that the House do now adjourn, I ask to be excused from voting.”

Objection being made by Mr. Brown,

Messrs. Spencer and Thatcher demanded the ayes and noes.

Those who voted in the affirmative were.

Messrs. Bird, Buskirk, Church, Coffroth, Groves, Kilgore, Lemon, Montgomery, O'Brien, Shoaff of Jay, Spencer, Steward, Thatcher, and Woods—14.

Those who voted in the negative were,

Messrs. Atkinson, Beckett, Branham, Brown, Burwell, Chambers, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Hamrick, Hargrove, Henricks, Hogate, Hoover, Howard, Hunt, Johnson, Lane, Lockhart, Lopp, Major, Miller of Clinton, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Rhoads, Richardson, Riford, Sabin, Shoaff of Allen, Stringer, Stenger, Stuckey, Upson, Veach, White, Willis, Woodruff and Mr. Speaker—50.

So Mr. Beckett was not excused.

Mr. Shoaff, of Jay, offered the following :

“ On the motion to adjourn I ask to be excused.”

Objection being made by Mr. Brown,

Messrs. Milroy and Beckett demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Church, Coffroth, Croan, Foulke, Groves, Hunt, Kilgore, Lasselle, Lemon, Milroy, Shoaff of Jay and Thatcher—13.

Those who voted in the negative were,

Messrs. Beckett, Bonner, Branham, Burwell, Buskirk, Chambers, Cook, Cox, Crook, Dunham, Ferris, Goodman, Glazebrook, Gregg, Gregory of Warren, Griffith, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Johnson, Lane, Lockhart, Lopp, Meredith, Miller of Clinton, Montgomery, McVey, Olleman, Patterson, Perigo, Rhoads, Richardson, Riford, Sabin, Shoaff of Allen, Stenger, Stringer, Stuckey, Upson, Veach, Welch, White, Willis, Woodruff, Woods and Mr. Speaker—51.

So Mr. Shoaff was not excused.

Mr. Glazebrook offered the following :

“ On the question now pending before the House, I wish to be excused from voting.”

Objection being made by Mr. Brown,

Messrs. Milroy and Spencer demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Bird, Brown, Church, Coffroth, Foulke, Glazebrook, Kilgore, Lasselle, Lemon, Milroy, O'Brien, Shoaff of Jay, Spencer and Thatcher—15.

Those who voted in the negative were,

Messrs. Atkinson, Bonner, Branham, Buskirk, Chambers, Cook, Croan, Crook, Dunham, Ferris, Goodman, Gregg, Gregory of Warren, Griffith, Hamrick, Henricks, Hershey, Higgins, Hogate, Howard, Hunt, Johnson, Lane, Lockhart, Lopp, Meredith, Miller of Clinton, Montgomery, McVey, Newcomb, Olleman, Osborn, Patter-

son, Perigo, Rhoads, Rice, Richardson, Riford, Sabin, Shoaff of Allen, Stenger, Stringer, Stuckey, Upson, Veach, Welch, White, Willis, Woodruff, Woods and Mr. Speaker—52.

So Mr. Glazebrook was not excused.

Mr. Hunt offered the following:

“I move to be excused from voting upon the resolution now pending, to adjourn to a specified time.”

Objection being made by Mr. Spencer,

Messrs. Beckett and Lemon demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Brown, Church, Coffroth, Groves, Howard, Hunt, Kilgore, Lemon, Milroy, O'Brien, Shoaff of Allen, Shoaff of Jay, and Spencer—14.

Those who voted in the negative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burwell, Buskirk, Chambers, Cox, Crook, Dunham, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Lockhart, Lopp, Major, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Rhoads, Rice, Richardson, Riford, Steward, Stringer, Stenger, Stuckey, Thatcher, Upson, Veach, Welch, White, Willis, Woodruff, Woods and Mr. Speaker—52.

So Mr. Hunt was not excused.

The question recurring on the motion made by Mr. Dunham, that the House do now adjourn; the ayes and noes being previously demanded,

Those who voted in the affirmative were,

Messrs. Beckett, Bird, Brown, Coffroth, Croan, Foulke, Hargrove, Howard, Hunt, Lemon, Milroy, O'Brien, Shoaff of Allen, Shoaff of Jay, Spencer, Thatcher and Veach—17.

Those who voted in the negative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burwell, Buskirk, Chambers, Church, Cook, Cox, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren,

Griffith, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lane, Lasselle, Lockhart, Lopp, Major, Meredith, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Rhoads, Rice, Steward, Stenger, Stringer, Stuckey, Upson, Welch, White, Willis, Woodruff, Woods and Mr. Speaker—55.

So the motion to adjourn did not prevail.

Mr. Spencer offered the following :

“I move that when the House adjourn, it adjourn until 12 o'clock on to-morrow, February 28, 1865.”

Messrs. Abbett, Beckett, Bird, Brown, Buskirk, Coffroth, Dunham, Glazebrook, Lemon, Lopp, Milroy, O'Brien, Shoaff of Allen, Spencer, Stuckey and Thatcher demanded the ayes and noes.

Mr. Spencer offered the following :

I ask to be excused from voting upon the motion now pending before the House to adjourn.

Objection being made by Mr. Beckett,

Messrs. Coffroth and Milroy demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Bird, Brown, Coffroth, Foulke, Groves, Kilgore, Lemon, Milroy, O'Brien, Rice, Shoaff of Allen, Shoaff of Jay and Thatcher—14.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Bonner, Boyd, Branham, Burwell, Buskirk, Chambers, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, Johnson, Lane, Lasselle, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Montgomery, Newcomb, Olleman, Osborn, Patterson, Perigo, Rhoads, Richardson, Riford, Sabin, Steward, Stenger, Stringer, Stuckey, Upson, Welch, White, Willis and Mr. Speaker—57.

So Mr. Spencer was not excused.

Mr. Beckett offered the following :

“Upon the motion that this House adjourn to to-morrow, at 12 o'clock, M., I ask to be excused from voting.”

Objection being made by Mr. Thatcher,

Messrs. Milroy and Spencer demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Bird, Brown, Buskirk, Coffroth, Croan, Foulke, Lasselle, Lemon, O'Brien, Shoaff of Allen, Shoaff of Jay, and Thatcher—13.

Those who voted in the negative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burwell, Chambers, Church, Cook, Cox, Crook, Dunham, Emerson, Ferris, Goodman, Glazebrook, Gregg, Gregory of Warren, Griffith, Hargrove, Henricks, Higgins, Hoover, Howard, Johnson, Lopp, Major, Meredith, Miller of Clinton, Montgomery, Newcomb, Olleman, Perigo, Rhoads, Rice, Richardson, Riford, Shoaff of Allen, Shoaff of Jay, Steward, Stenger, Stringer, Stuckey, Upson, Welch, White, Willis, Woods, Wright and Mr. Speaker—48.

So the gentlemen was not excused.

Mr. Thatcher offered the following:

"I ask to be excused from voting on the pending question to adjourn."

Objection being made by Mr. Brown,

Messrs. Bird and Beckett demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Bird, Brown, Buskirk, Croan, Foulke, Groves, Lesselle, Lemon, Milroy, O'Brien and Thatcher—12.

Those who voted in the negative were,

Messrs. Abbott, Atkinson, Bonner, Boyd, Branham, Burwell, Chambers, Church, Cook, Cox, Crook, Dunham, Emerson, Goodman, Glazebrook, Gregg, Gregory of Warren, Griffith, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Lane, Major, Meredith, Miller of Clinton, Montgomery, McVey, Newcomb, Olleman, Patterson, Perigo, Rhoads, Rice, Richardson, Riford, Sabin, Steward, Stenger, Stringer, Upson, Welch, White, Willis, Woods and Mr. Speaker—50.

So the gentleman was not excused.

Mr. Lemon offered the following :

I ask to be excused from voting on the pending motion that when this House adjourn it adjourn until to-morrow M.

Objection being made by Mr. Brown, Messrs. Dunham and Bird, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Bird, Brown, Buskirk, Coffroth, Foulke, Groves, Lasselle, Lemon, Milroy, O'Brien, Patterson, Shoaff of Jay, Spencer and Stivers—15.

Those who voted in the negative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burnes, Burwell, Chambers, Church, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Goodman, Glazebrook, Gregg, Gregory of Warren, Griffith, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Johnson, Lane, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Montgomery, McVey, Newcomb, Olleman, Perigo, Rhoads, Rice, Richardson, Riford, Sabin, Stenger, Stringer, Thatcher, Upson, Welch, Woodruff, Woods, Wright and Mr. Speaker—55.

So the gentleman was not excused.

Mr. Shoaff of Jay offered the following :

MR. SPEAKER :

On the pending motion to adjourn I respectfully ask to be excused

Objection being made by Mr. Spencer,

Messrs. Bird and Beckett demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Croan, Foulke, Lemon, Milroy, Shoaff of Allen, Shoaff of Jay and Spencer—8.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Banta, Bird, Boyd, Branham, Brown, Burnes, Burwell, Buskirk, Chambers, Church, Cook, Cox, Crook, Dunham, Ferris, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison,

Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, Johnson, Lane, Lockhart, Lopp, Major, Meredith, Montgomery, McVey, Newcomb, O'Brien, Olleman, Patterson, Perigo, Rhoads, Rice, Richards, Riford, Sabin, Steward, Stenger, Stringer, Thatcher, Upson, Welch, White, Whiteside, Willis, Woodruff, Wright and Mr. Speaker—62.

So the gentleman was not excused.

Mr. Dunham offered the following :

MR. SPEAKER :

On the motion to adjourn now pending before the House I ask to be excused from voting.

Objection being made by Mr. Brown,

Messrs. Glazebrook and Bird demanded the ayes and noes.

Pending which,

Mr. Branham presented the following point of order :

That inasmuch as it is not the design of the minority of this House to defeat the measures embraced in the resolution, the main question for which has been ordered, all debate, amendments and motions of every character, to postpone until the main question has been decided, and that the House now proceed to a vote on said main question.

Which was sustained by the Speaker—Mr. Henricks in the Chair.

Ruling that the main question having been ordered by the House, all questions except on motion to adjourn, are out of order until the vote is taken on the main question.

Whereupon the following appeal was submitted :

MR. SPEAKER :

We appeal from the decision of the Chair in ruling out of order the pending motion to adjourn until to-morrow at 12 o'clock M., and also in ruling out of order the pending appeal of the gentleman from Jackson, Mr. Brown.

J. R. COFFROTH,  
GEO. C. THATCHER,  
E. M. SPENCER,  
C. L. DUNHAM,  
H. BECKETT,  
S. BUSKIRK,

The question being, shall the decision of the Chair stand as the judgment of the House.

Messrs. Coffroth and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burnes, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lane, Lockhart, Major, Meredith, Montgomery, McVey, Newcomb, Olleman, Rhoads, Rice, Riford, Sabin, Steward, Stivers, Stringer, Upson, Welch, Whiteside, Willis, Woodruff, Woods and Wright—46.

Those who voted in the negative were.

Messrs. Abbett, Brown, Burwell, Buskirk, Chambers, Coffroth, Glazebrook, Hargrove, Harrison, Hunt, Lasselle, Miller of Clinton, O'Brien, Patterson and Perigo—16.

Present and refusing to vote were Messrs. Croan, Howard, Lemon, Milroy, Spencer and Hunt—6.

So the decision of the Chair was sustained.

Mr. Coffroth moved that the House do now adjourn.

Messrs. Bird, Buskirk, Dunham, Glazebrook, Harrison, Howard, Lemon, Montgomery, Spencer and Thatcher, demanded the ayes and noes.

Those voting in the affirmative were.

Messrs. Abbett, Brown, Burwell, Buskirk, Coffroth, Hargrove, Harrison, Hunt, Lasselle, Lemon, Lopp, Miller of Clinton, Milroy, O'Brien, Patterson, Perigo, Shoaff of Allen, Shoaff of Jay, Spencer, Stuckey, Thatcher and White—22.

Those who voted in the negative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lane, Lockhart, Major, Meredith, Montgomery, McVey, Newcomb, Olleman, Rhoads, Rice, Riford, Sabin, Stewart, Stivers, Stringer, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker.—50.



So the House refused to adjourn.

The question recurring on the adoption of the resolution offered by Mr. Branham.

Messrs. Bird and Miller, of Clinton, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lane, Lockhart, Major, Meredith, Montgomery, McVey, Newcomb, Olleman, Rhoads, Rice, Riford, Sabin, Steward, Stivers, Stringer, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—49.

Those who voted in the negative were,

Messrs. Burwell, Buskirk, Croan, Glazebrook, Lasselle, Miller of Clinton, O'Brien, Osborn, Patterson, Perigo, Shoaff of Jay and White—12.

Present and refusing to vote, Messrs. Abbett, Brown, Coffroth, Croan, Hargrove, Howard, Lemon, Milroy, Shoaff of Allen and Spencer—10.

The Speaker then declared the resolution adopted.

Whereupon Mr. Buskirk submitted the following:

The resolution offered by the gentleman from Jefferson, to make House bills No. 140, 153 and 175, the special order for 10½ o'clock to-day having received 49 votes, while twelve votes were cast against such resolution, and the Chair having decided that said resolution was passed without having received a two third vote, the undersigned hereby appeal from such decision.

S. BUSKIRK,  
C. L. DUNHAM,  
J. R. COFFROTH,  
J. B. BROWN.

Pending which,  
Mr. Gregory of Warren, moved that when the House adjourn it be till 7½ o'clock this P. M.  
Which was agreed to.

On motion by Mr. Buskirk.

The House adjourned.

7½ O'CLOCK, P. M.

The House met.

The Speaker ordered a call of the House when the following members answered to their names.

Messrs. Banta, Bonner, Boyd, Branham, Brown, Burnes, Chambers, Church, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lane, Lockhart, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Montgomery McVey, Newcomb, O'Brien, Olleman, Reese, Rhoads, Rice, Richardson, Riford, Sabin, Steward, Stivers, Stringer, Upson, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—54.

There not being a quorum present, Mr. Newcomb moved that the House do now adjourn.

Which was agreed to.

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TUESDAY MORNING, 9 O'CLOCK, }  
February 28, 1865. }

The House met pursuant to adjournment.

The Speaker ordered a call of the House, when the following members answered to their names :

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Brown, Burnes, Buskirk, Chambers, Church, Cook, Crook, Cox, Croan, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lane, Lee, Lockhart, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Reese, Rice, Richards, Richardson, Riford, Sabin, Sim, Steward, Stivers, Stringer, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—63.

There being no quorum present,

Mr. Foulke moved that the absentees be sent for.  
Which was ordered.

The Speaker ordered the Doorkeeper to close the doors of the Hall, and compel the attendance of the absentees.

The Doorkeeper then reported that Mr. Lasselle was in custody.

Mr. Newcomb moved that the member from Cass be discharged without fine or costs.  
Which was agreed to.

The Doorkeeper also reported that Messrs. Shuey and Patterson were in custody.

Which,

On motion,  
Were discharged without fine or costs.

The further call was then dispensed with.

The Clerk proceeded to read the Journal,

When Mr. Buskirk moved to amend the Journal by striking out so much thereof that says "there were ten members present and refusing to vote on the adoption of the resolution offered by Mr. Branham, of Saturday last."

Mr. Brown moved to amend by striking out his own name, as being present and refusing to vote.  
Which was not agreed to.

The question recurring on the motion made by Mr. Buskirk,

Mr. Griffith asked to be excused from voting on said motion.  
Which was agreed to.

Messrs. Buskirk and Lopp demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Brown, Buskirk, Croan, Glazebrook, Gregg, Harrison, Hunt, Lasselle, Lee, Lemon, Lopp, Miller of Clinton, Milroy, O'Brien, Osborn, Patterson, Perigo, Richardson, Richards, Shoaff of Allen, Stenger, Sullivan of Scott, Thatcher, Veach and White—26.

Those who voted in the negative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burnes, Cham-

bers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lane, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Reese, Rice, Riford, Sabir, Shuey, Sim, Steward, Stivers, Stringer, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—64.

So the motion of Mr. Buskirk to strike out did not prevail.

The question being, shall the Journal as reported stand as the Journal of this House?

It was agreed to.

Mr. Newcomb moved that the order of business be suspended, and that House bill No. 176 be taken up.

On which,  
Messrs. Buskirk and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Bonner, Boyd, Branham, Brown, Burnes, Buskirk, Chambers, Church, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Johnson, Kilgore, Lane, Lasselle, Lee, Lemon, Lockhart, Lopp, Major, Meredith Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Osborn, Patterson, Perigo, Reese, Rice, Richards, Richardson, Riford, Shoaff of Allen, Shuey, Sim, Steward, Stenger, Stivers, Stringer, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Woodruff, Woods, Wright and Mr. Speaker—79.

None voting in the negative.

So the order of business was suspended, and

House bill No. 176, "a bill making general appropriations for the years 1865 and 1866,"

Was read a second time.

Mr. Higgins offered the following amendment :

Amend by adding "that the sum of \$64,105.90, with interest for two years, be allowed to the creditors of the State for labor, materials, &c., furnished to the State Prison North previous to the 11th day of March, 1863, for which certificates were given."

Mr. Buskirk moved to refer the bill and all amendments to the committee of Ways and Means.

Mr. Brown moved to amend the motion of Mr. Buskirk by referring the amendments without reading.

The motion, as amended, was then agreed to.

Mr. Griffith moved to amend by inserting in the proper place the following:

"That there be appropriated for the State Prison North, for indebtedness which has accrued from March 10th, 1863, to December 5th, 1864, together with amount for completing said Prison, and subsistence for the same for years 1865 and 1866, the sum of one hundred and seventy-one thousand three hundred and fifty-three dollars and fifty-six cents."

Which was referred to the Committee of Ways and Means without reading.

Mr. Newcomb offered the following amendment:

"To appropriate the sum of \$5,508.00 for volumes 2, 3, and 4, of the Indiana Reports."

Which was referred to the Committee of Ways and Means without reading.

Mr. Kilgore offered the following amendment:

Sec. 1. Be it enacted by the General Assembly of the State of Indiana, that there shall be appointed a Committee consisting of two members of the House of Representatives and one Senator, those of the House to be appointed by the Speaker thereof, and the one on the part of the Senate to be appointed by the President thereof, to be denominated an Auditing Committee, whose duty it shall be to meet at Indianapolis monthly and examine and audit accounts and claims of the following character:

1st. Claims for pay of volunteers enlisted under the authority of the State or General Government for such time as they are not entitled to receive pay from the General Government, although such volunteers may have been discharged without having been mustered into the service.

2d. Claims for recruiting and the reasonable and legitimate expenses incident thereto, accruing under the authority of this State or the General Government, where the contract or understanding at the

time has been fully complied with on the part of the claimants, and not on the part of the State or General Government, through the consolidation of Regiments or otherwise.

3d. All claims of field officers of regiments raised for the army of the United States for the time such officers were actually engaged under appointments from the Governor, in organizing such regiment or doing duty in camps of rendezvous or instruction before their muster into the service by the consolidation of their regiments.

4th. Claims for Quartermaster's stores, clothing, blankets, shoes, fuel, medicines and other goods furnished volunteers on orders from commissioned officers, not lower in rank than Colonel, or other officer commanding a regiment, in command of such volunteers.

5th. Claims for necessary transportation, traveling expenses and subsistence.

6th. Claims for labor, hospital services, teaming and printing.

7th. Claims for supplies furnished to, labor done for, and ground for camps under contract authorized by the Governor, Adjutant General or other proper officer by the requirements of Indiana Legion or militia, including all damages to such grounds.

8th. Claims for the use of grounds occupied under contract made by authority of the Governor, Adjutant General or other proper officer, and used for camps and damages thereto, used by the State forces, rendezvous of instruction.

9th. All claims for the pay of officers and privates of the Indiana Legion and volunteers called into active service by the proclamation of the Governor.

Sec. 2. The Auditor of State shall be, and he is hereby, expressly prohibited from paying any claim of the description aforesaid until such claim has been audited and certified by said Auditing Committee or a majority thereof.

Sec. 3. Said Committee shall make out a regular balance sheet each month, which together with the proper vouchers shall be carefully preserved. They shall have power to direct the proper forms to be used for accounts and vouchers, and require all to be made in accordance with such forms.

Sec. 4. The members of said Committee shall each receive the sum of five dollars for each day they may necessarily be employed in the discharge of their duties when the Legislature is not in session and five cents per mile for the distance traveled in going to, and

returning from their attendance upon such duties, the same to be paid out of the money appropriated for the payment of the Legislative expenses of the present General Assembly, and the Auditor shall audit the accounts for such services upon the certificate of a majority of the Committee.

Sec. 5. The Committee shall examine and determine all claims presented them for allowance without delay, and shall have the power to subpoena and enforce the attendance of witnesses, to administer oaths, and to require any papers, records or other written documents to be furnished which in the opinion of said Committee may be needed in the determination of any claim.

Sec. 6. A majority of the Committee shall constitute a quorum to do business, but no allowance of such majority of any claim or account shall be valid, so as to authorize its payment, unless such allowance be made by a number of the Committee equal to a majority of the whole.

Sec. 7. The Committee shall have the power to employ a clerk who shall discharge such duties as the Committee may impose on him. He shall receive the same pay and mileage as is herein provided for the members of the Committee.

Sec. 8. It is hereby made the duty of the Attorney General of the State to attend the sessions of the Committee and resist the allowance of all claims presented, and to advise the Committee in all questions of law that may arise in their investigations.

Sec. 9. The Committee shall sit so long as the duties herein imposed on them may demand, and whenever said claims and accounts shall be fully examined and audited said Committee shall be, and is hereby discharged.

Which was referred to the Committee on Ways and Means, without reading.

Mr. Montgomery, offered the following amendment:

For paper for State Printer for 1865, the sum of \$16,000; for 1866, \$8,000; for binding for 1865, \$10,000; for 1866, \$6,000; for printing 1865, \$25,000, for 1866, \$15,000.

Which was referred to the Committee on Ways and Means without reading.

Mr. Newcomb, offered the following amendment:

Insert an appropriation of \$700 to pay the balance due Merrill &

Co., for 612 copies of th 14th volume of the Indiana Reports now in the possion of said Merrill & Co.

Which was referred to the Committee on Ways and Means without reading.

Mr. Woods, offered the following amendment :

By inserting an additional section allowing the sum of five hundred dollars as a contingent fund, and to pay for office expenses, &c., for the use of the Attorney General.

Which was referred to the Committee on Ways and Means without reading.

Mr. Boyd moved that the order of business be suspended, and that House bill No. 133 be taken up.

Which was agreed to.

House bill No. 133. A bill making appropriations to pay the indebtedness of the State Prison North, due on or before the 11th day of March, 1866.

Was taken up, and,

On motion,

Referred to the Committee of Ways and Means.

Mr. Boyd moved that the order of business be suspended, and that House bill No. 72 be taken up.

Which was agreed to.

House bill No. 72. A bill to reimburse Samuel H. Patterson, State lessee of the Indiana State Prison, for money expended by him on account of work and labor rendered by sundry convicts during said Patterson's lease of said prison.

Was taken up, and,

On motion,

Referred to the Committee of Ways and Means.

Mr. Brown moved that the order of business be suspended and that House bill 153 be taken up.

Which was agreed to.

House bill No. 153. A bill ratifying the action of the Governor in procuring an advance of two hundred and fifty thousand dollars from the President of the United States for the preparation of troops for the service of the United States, and for the defense of the State, and directing him to pay the unexpended balance thereof into the Treasury, and to account therefor, with the portion expended, to the President of the United States, as an advance to the State.

Was read a second time.



Mr. Brown moved that it be deemed expedient to suspend the constitutional rule requiring the reading of bills on three several days, and that House bill No. 153, be read a third time now.

Those who voted in the affirmative were,

Messrs. Abbott, Atkinson, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Buskirk, Chambers, Cook, Cox, Croan, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Johnson, Lane, Lasselle, Lee, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, McVey, Newcomb, O'Brien, Osborn, Patterson, Reese, Rhoads, Rice, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Stenger, Sullivan of Scott, Thatcher, Upson, Veatch, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—71.

None voting in the negative.

So it was deemed expedient to suspend the constitution rule, and House bill No. 153 was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Chambers, Church, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Johnson, Lane, Lockhart, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Osborn, Reese, Rhoads, Rice, Richards, Richardson, Riford, Sabin, Shuey, Steward, Stenger, Stivers, Sullivan of Scott, Thatcher, Trusler, Upson, Veatch, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—67.

Those who voted in the negative were,

Messrs. Abbett, Buskirk, Glazebrook, Lee, Lemon, Lopp, Milroy, O'Brien, Patterson, Perigo, and Shoaff of Allen—11.

The question being, shall the title as read, stand as the title of the bill?

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

H. J.—43

Mr. Buskirk moved that the order of business be suspended, and that engrossed Senate bill No. 101, be taken up.

Which was agreed to.

Senate bill No. 101. A bill to amend second section of an act, entitled an act to amend the 5th and 6th sections of an act, entitled an act to provide for the election of a Reporter, and a speedy publication of the decisions of the Supreme Court, and for the compensation of such Reporter, approved February 28, 1855, and, also, to amend the 7th section of an act, entitled an act to provide for the election of a Reporter, and a speedy publication of the decisions of the Supreme Court, and for the compensation of such Reporter, approved February 5, 1852.

Was read a first time, and passed to a second reading.

Mr. Shuey obtained leave of absence on account of sickness.

Mr. Newcomb moved to suspend the order of business, and take up House bill No. 140.

Which was agreed to.

House bill No. 140. A bill ratifying the action of the Governor in settling and discharging the State's quota of the direct tax levied by Congress in 1861, and authorizing to settle all unsettled claims of the State against the United States:

Was read a second time.

Mr. Newcomb moved to amend as follows:

In line 34, insert word "and," instead of "or." In line 37, after the word "abatement," add "should be allowed."

In the enacting clause, insert the word "enacted," instead of "resolved."

Which were agreed to.

Mr. Newcomb moved that said bill be considered as engrossed.

Which was agreed to.

Mr. Newcomb moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read on three several days, and read said bill a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Bonner, Boyd, Branham, Burns, Buskirk, Chambers, Church, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregory of Montgomery, Gregory

of Warren, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Johnson, Kilgore, Lane, Lasselle, Lee, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Reece, Rhoades, Rice, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Sim, Steward, Stenger, Stivers, Stringer, Sullivan of Scott, Thatcher, Trusler, Veach, Welch, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—77.

None voting in the negative.

So it was deemed expedient to suspend the constitutional rule, and House bill No. 140 was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lane, Lasselle, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Reece, Rhoades, Rice, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Sim, Steward, Stenger, Stivers, Stringer, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—73.

Mr. Abbett voting in the negative.

So the bill passed.

The question being shall the title, as reported, stand as the title of the bill?

It was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. McVey, by unanimous consent, made the following report::

The Committee on Mileage and Accounts, have directed me to report the mileage of Higgins Lane at fifty miles, and that of Ambrose Hamrick at forty-six miles, both distances being calculated one way.

Which was concurred in.

Senate bill No. 15, was, by unanimous consent, taken up, and read a first time.

Mr. Buskirk moved that said bill be referred to a select committee of five.

Which was agreed to.

The Speaker appointed Messrs. Buskirk, Church, Sullivan of Scott, Kilgore and Wright, said committee.

On motion by Mr. Church,  
The House adjourned.

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2 O'CLOCK, P. M.

The House met.

Unanimous consent was given Mr. Newcomb to present the following:

A remonstrance from sundry citizens of Indianapolis, of the Jewish faith, in reference to the proposed amendments to the State and National Constitution.

Which,

On motion,  
Was laid on the table.

Mr. Hunt was granted permission to change his vote from aye to no, on the passage of House bill No. 153.

House bill No. 8. A bill providing for the taxing of dogs, and for the payment of damages sustained in the maiming or killing of sheep by dogs, and providing penalties for the violation of any of the provisions of said act by officers and others; and, also, repealing an act to license dogs, approved March 11, 1861, and all other laws conflicting with the provisions of this act, was taken up.

The following engrossed amendments of the Senate, to House bill No. 8, were read, to-wit:

Amend the title, as follows:

Instead of the first clause, insert the following: "An act to discourage the keeping of useless and sheep-killing dogs."

In the last line of section one, strike out the word "other."

In line 7 and 8, from end of section 2, strike out the words "such taxes," and insert the words "the sums so charged;" and in line 5, from end of same section, strike out the words "for other purposes." All of which were concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Hogate, by unanimous consent, presented the following claims, to-wit:

J. L. Sailors, for \$7 41; to Peter Welkins, for \$17 55; to Tousey, Byram & Co., for \$5 43; Tousey, Byram & Co., for \$1 10; Tousey, Byram & Co., \$1 00; Tousey, Byram & Co., \$6 30.

Which was referred to the Committee on Ways and Means, without reading.

Mr. Wright, by unanimous consent, offered the following resolution :

*Whereas*, The House Journal, of the present session will be unusually large, thereby greatly increasing the time and labor that it will require to properly and correctly prepare an index for the same; therefore be it

*Resolved*, That Cyrus T. Nixon, Principal, and Capt. T. W. O. Braffett, Assistant, Clerks of this House, be allowed each the sum of one hundred and twenty-five dollars, for preparing said index, making out the title of bills introduced, and for the superintending the printing of the Journal, and doing such other work connected therewith, and that the Committee on Ways and Means are hereby instructed to incorporate said amount in the specific appropriation bill for said work:

Mr. Brown moved to make the resolution one of inquiry.  
Which was agreed to.

The resolution, as amended, was referred to the Committee of Ways and Means.

Message from the Senate, by Mr. Whittlesey, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House, that the Senate has passed the following engrossed bill thereof:

Engrossed Senate bill No. 191. An act to amend the 16th and 47th sections of an act, entitled an act to provide for the opening, vacating and changing of highways, approved June 17, 1852.

In which the concurrence of the House is respectfully requested

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed, without amendment, House bill No. 7, entitled a bill to amend the first section of an act, entitled an act to amend the second section of an act, concerning the organization of voluntary associations, and repealing former laws in reference thereto, approved February 12th, 1855, so as to authorize the formation of Ferry Companies, approved February 16th, 1857, so as to authorize the survey, construction, maintainance and repair of harbors, docks and piers upon Lake Michigan, and other navigable waters, and to assess and collect tolls for the use thereof.

Unanimous consent was given Mr. Gregory, of Warren, to introduce House bill No. 199.

A bill to provide for the distribution of the interest on the School, Sinking and Trust Funds of the State, held for the support of common schools, to repeal all laws in conflict, and declaring an emergency.

Which was read a first time, and

On motion,

Referred to the Committee on Education.

The special order for this hour, being the consideration of House bill No. 178.

A bill to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith.

The same was taken up.

The pending question being on the adoption of the amendment, offered by Mr. Coffroth, namely, to insert the word "white," before the word "children," in sec. 10, line 3.

Messrs. Coffroth and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Banta, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Cook, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Hershey, Hoover, Howard, Hunt, Lane, Lee, Lemon, Lopp, Major, Meredith, Miller

of Clinton, Milroy, Montgomery, McVey, Newcomb, O'Brien, Osborn, Patterson, Perigo, Rice, Richards, Richardson, Shoaff of Allen, Shoaff of Jay, Spencer, Stenger, Stivers, Stringer, Thatcher, Upson, Veach, Welch, White, Whiteside, Woodruff, Wright, and Mr. Speaker—62.

Those who voted in the negative were,

Messrs. Atkinson, Bonner, Burnes, Chambers, Church, Cox, Henricks, Higgins, Hogate, Johnson, Kilgore, Lockhart, Reese, Rhoades, Riford, Sabin, Sim, Trusler, Willis, and Woods—20.

So the amendment was adopted.

Mr. Gregory, of Warren, moved to amend by striking out section 168.

The ayes and noes being demanded by Messrs. Brown and Shoaff, of Jay.

Those who voted in the affirmative were,

Messrs. Abbett, Bird, Boyd, Brown, Burton, Burwell, Buskirk, Coffroth, Croan, Crook, Emerson, Glazebrook, Gregg, Gregory of Warren, Groves, Hargrove, Harrison, Howard, Hunt, Johnson, Lee, Lemon, Lopp, Meredith, Miller of Clinton, Milroy, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Richards, Rice, Richardson, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Spencer, Stenger, Stringer, Thatcher, Veach, Welch, White and Woodruff—47.

Those who voted in the negative were,

Messrs. Atkinson, Banta, Bonner, Burnes, Chambers, Church, Cook, Cox, Ferris, Foulke, Goodman, Gregory of Montgomery, Griffith, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, James, Kilgore, Lane, Lockhart, Major, Miller of Tippecanoe, Montgomery, McVey, Reese, Rhoades, Riford, Sim, Stivers, Trusler, Upson, Whiteside, Willis Woods, Wright and Mr. Speaker—39.

So the amendment was adopted.

Mr. Rice moved to strike out section 121.  
Which was agreed to.

Mr. Higgins moved to strike out all from sections 34 to 43, inclusive.

Mr. Brown asked for a division of the question, by sections.  
Which was ordered.

The question being on striking out the 34th section,  
Which was not agreed to.

The question then being on striking out the 35th section,  
Which was not agreed to.

Mr. Wright offered the following amendment :

Amend section 36, third line, after " shall," the following : " Dis-  
qualify said teacher from further teaching in the common schools,  
until a new license shall be granted him."

Which was not agreed to.

The question recurring on striking out the 36th section,

Mr. Griffith moved to amend by striking out all in said section,  
in line 2d, after the word " school."

Which was not agreed to.

The question recurring on striking out the 36th section,  
It was not agreed to.

The question being on striking out the 37th section,  
It was not agreed to.

The question being on striking out the 38th section,  
It was not agreed to.

The question being on striking out the 39th section,  
It was not agreed to.

The question being on striking out the 40th section,  
It was not agreed to.

The question being on striking out the 41st section,  
It was not agreed to.

The question being on striking out the 42d section,  
It was not agreed to.

The question being on striking out the 43d section,  
It was not agreed to.

Mr. Reese offered the following amendment :

Strike out the following, from the 41st section, line 5 to 8 :  
" Failure to make the required reports at the proper time shall sub-  
ject the county to a diminution of fifty dollars of its apportionment  
of the common school revenue, which shall be withheld by the super-  
intendent when he makes the apportionment in April."



Mr. Church offered the following amendment to the amendment of Mr. Reese.

“Strike out the balance of the section.”

Which was accepted by Mr. Reese as a part of his amendment.

The amendment as amended, was then adopted.

Mr. Miller, of Clinton, offered the following amendment:

Amend the 43d section, by striking out the words “four dollars” in the first line, and inserting the words “three dollars.”

Mr. Olleman offered the following amendment, to the amendment of Mr. Miller, of Clinton.

Section 43, line 3, to insert after the word “revenue,” but shall not exceed three hundred dollars annually, exclusive of fees for granting certificates of examination of Teachers, also 1st line, strike out “four dollars” and insert “three dollars.”

Mr. Brown moved to lay the amendment to the amendment on the table.

Which was agreed to.

The amendment of Mr. Miller, of Clinton, was then adopted.

Mr. Spencer offered the following amendment:

Strike out section 51, and insert the following:

SEC. 51. No sale shall be allowed, unless a majority of all the votes cast at such election shall vote in favor of such sale; nor unless the number of votes constituting such majority shall exceed fifteen.

Which,

On motion,  
Was adopted.

Mr. Spencer offered the following amendment:

Strike out all after the word “incumbrance,” in 4th and 5th lines in section 75:

Mr. Howard offered the following amendment to the amendment:

Amend section 75, by striking out lines 4 and 5, and by substituting the following words: “Showing to his satisfaction a good and

sufficient title in fee simple, without incumbrance, not derived from sale for taxes."

Which was accepted by Mr. Spencer as a part of his amendment.

The amendment as amended was then adopted.

Mr. Newcomb offered the following amendment:

I move to strike out line 6, of section 108, and insert, "for the Clerk's certificate, fifty cents, and for the Recorder's certificate, \$1 00."

Which,

On motion,  
Was adopted.

Mr. Harrison offered the following amendment:

SEC. 11. The Common School Fund shall be equally divided and expended for tuition among the several schools within the township by the Trustees thereof, without regard to the diversity in the numbers of pupils attending the same, and each of said schools shall be numbered by the proper Trustee as School No. —

Which was not adopted.

Mr. Burnes offered the following amendment:

Amend section 171 by striking out all after the word "act" in the 20th line of said section, and insert the following: "therefore it shall take effect and be in force from and after its passage."

Mr. Coffroth offered the following amendment to the amendment:

Strike out all after the word "its" in the second line of section 171, and also all of line 3 in said section, and insert after said word the following: "passage; and it shall be the duty of the Secretary of State to cause a sufficient number of copies of this act to be printed and circulated in the different counties of the State."

Mr. Gregory of Warren, moved the previous question.

Which was seconded by the House,

The question being, shall the main question now be put?  
It was so ordered.

The question being on the amendment offered by Mr. Coffroth to the amendment,  
It was agreed to.

The question recurring on the amendment offered by Mr. Burnes, It was agreed to.

House bill No. 178 was considered as engrossed, and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey, Hogate, Hoover, Howard, James, Johnson, Kilgore, Lane, Lasselle, Lee, Lockhart, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Reese, Rhoads, Rice, Richardson, Riford, Sabin, Shoaff of Jay, Shuey, Spencer, Stenger, Stivers, Stringer, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, and Mr. Speaker—76.

Those who voted in the negative were,

Messrs. Bird, Goodman, Hargrove, Hunt, Lemon, Lopp, Richards, Sim, Sullivan of Scott and Mr. Wright—10.

Mr. Newcomb moved to amend the title as follows :

Insert after the word "therewith," "and prescribing the fees of certain officers," and at the end of the title add these words: "and providing penalties therein described, and providing for the loaning and security of the Common School Fund."

Which was agreed to.

The title as amended was then adopted.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Pettit move to suspend the Order of Business, so as to take up bills on third reading.

Which was agreed to.

Mr. Newcomb moved that when the House adjourn, it be till 7½ o'clock P. M.

Which was agreed to.

Mr. Coffroth asked unanimous consent of the House to call up House bill No. 43.

Which was agreed to.

House bill No. 43. A bill to repeal an act entitled, "an act to establish courts of conciliation, &c.," approved June 11th, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Bird, Bonner, Boyd, Branham, Brown, Burton, Burwell, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Hargrove, Henricks, Higgins, Hogate, Hoover, Howard, Hunt, James, Johnson, Kilgore, Lee, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Rhoads, Rice, Richards, Richardson, Riford, Sabin, Shoaff of Shuey, Spencer, Stenger, Stivers, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Wright and Mr. Speaker—80.

Those who voted in the negative were,

Messrs. Lane, McVey, Reese and Stringer—4.

The question being, shall the title as read, stand as the title of the bill?

Mr. Coffroth moved to strike out the word "Bill" and insert the words "An Act."

Which was agreed to.

The title as amended was then adopted.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Spencer,  
The House adjourned.

7½ O'CLOCK, P. M.

The House met.

The Speaker ordered a call of the House, when the following members answered to their names :

Messrs. Bird, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Buskirk, Church, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, James, Johnson, Kilgore, Lane, Lee, Lockhart, Lopp, Major, Meredith, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Osborn, Patterson, Reese, Rhoads, Riford, Sabin, Shoaff of Allen, Sim, Spencer, Stenger, Stivers, Stringer, Stuckey, Sullivan of Scott, Trusler, Veach, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—67.

On motion, the further call was dispensed with.

#### HOUSE BILLS ON 3D READING.

House bill No. 29. A bill to amend section 15 of an act entitled "an act concerning enclosures, trespassing animals, and partition fences."

Was read a third time, and the question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Bird, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Buskirk, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lane, Lee, Lockhart, Lopp, Major, Meredith, Miller of Tippecanoe, McVey, Newcomb, Osborn, Patterson, Reese, Rhoades, Riford, Sabin, Shoaff of Allen, Sim, Spencer, Stenger, Sullivan of Scott, Trusler, Veach, Whiteside, Willis, Woods, Woodruff, Wright and Mr. Speaker—58.

Those who voted in the negative were,

Messrs. Howard, O'Brien, Stringer and Stuckey—4.

There being no quorum voting,

Mr. Newcomb moved a call of the House, when the following members answered to their names :

Messrs. Bird, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Buskirk, Chambers, Coffroth, Cook, Cox, Croan, Crook, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, James, Johnson, Kilgore, Lane, Lasselle, Lee, Lockhart, Lopp, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Osborn, Patterson, Reese, Rhoads, Rice, Riford, Sabin, Shoaff of Allen, Sim, Spencer, Stenger, Stringer, Stuckey, Sullivan of Scott, Trusler, Veach, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—64.

The Doorkeeper was ordered to close the doors of the Hall, and the absentees sent for.

The Doorkeeper reported Messrs. Clark, Rice, Lasselle, Brown and Emerson, in custody.

When,

On motion,

They were discharged, without fine and costs.

There being a quorum present.

Mr. Spencer moved that further proceedings, under the call, be dispensed with.

The question being, shall House bill No. 29 pass ?

Those who voted in the affirmative were,

Messrs. Banta, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Buskirk, Chambers, Coffroth, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, James, Johnson, Kilgore, Lane, Lasselle, Lee, Lockhart, Lopp, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Osborn, Patterson, Reese, Rhoads, Rice, Riford, Sabin, Shoaff of Allen, Sim, Spencer, Stenger, Stuckey, Sullivan of Scott, Trussler, Veach, Whiteside, Willis, Woods, Woodruff, Wright and Mr. Speaker—67.

Those who voted in the negative were,

Messrs. O'Brien and Stringer—2.

So the bill passed.

The question being, shall the title as read stand as the title of the bill.

Which was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

House bill No. 31, was taken up and read a third time, and,

On motion,  
Was laid on the table.

Senate bill No. 30, by unanimous consent, was taken up and read a second time, and passed to a third reading.

Mr. Newcomb, moved to reconsider the vote whereby the House suspended the order of business, and take up House bills on third reading.

Which was agreed to.

#### HOUSE BILLS ON SECOND READING.

House bill No. 71, by unanimous consent was taken up and read a second time and passed to a third reading.

House bill No. 125, by unanimous consent, was taken up and read a second time and passed to a third reading.

Mr. Brown moved that said bill be referred to a Select Committee of five.

Which was agreed to.

The Speaker announced the following as said Committee: Messrs. Brown, Kilgore, Wright, Howard and Whiteside.

House bill No. 126, by unanimous consent, was taken up and read a second time and ordered to be engrossed.

House bill No. 149, by unanimous consent, was taken up and read a second time and ordered to be engrossed.

House bill No. 180, by unanimous consent was taken up and read a second time.

Mr. Rhoads, moved to indefinitely postpone said bill.

Mr. Griffith, moved to lay that motion on the table.

Which was not agreed to.

The question recurring on the motion to indefinitely postpone House bill No. 180.

Which was agreed to.

House bill No. 34, by unanimous consent, was taken up and read a second time.

Which was informally passed over.

House bill No. 186, by unanimous consent, was taken up and read a second time and ordered to be engrossed and passed to a third reading on to-morrow.

By unanimous consent,

Engrossed Senate Joint Resolution No. 11. A joint resolution requesting the Governor to appoint a suitable person to revise and correct the Swamp Land Books of the State of Indiana, in the office of the Auditor of State.

Was taken up, read a first time and passed to a second reading.

House bill No. 124, by unanimous consent, was taken up and read a second time ordered to be engrossed and passed to a third reading.

House bill No. 195, by unanimous consent, was taken up and read a second time and referred to the Committee on Ways and Means.

On motion by Mr. Newcomb.

The House adjourned.

WEDNESDAY MORNING, 9 o'clock, }  
March 1, 1865. }

The House met pursuant to adjournment.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Abbett, Atkinson, Banta, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Buskirk, Church, Cook, Croan, Crook, Ferris, Foulke, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, James, Johnson,



Lee, Lemon, Lockhart, Lopp, Major, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Patterson, Perigo, Reese, Rhoads, Rice, Richards, Richardson, Riford, Shoaff of Allen, Shuey, Spencer, Steward, Stenger, Sullivan of Scott, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—73.

There being a quorum present, the further call was dispensed with.

On motion by Mr. Montgomery, the reading of the Journal was dispensed with, and the Journal approved.

#### PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Branham,

A claim of Brown & Whitehouse, for \$60 50.

Which was referred to the Committee on Claims, without reading.

By Mr. Branham,

A claim of Thomas Gifford, for \$63 90.

Which was referred to the Committee on Claims, without reading

By Mr. Woods,

A petition from the Township Assessors of Lake county, Indiana, praying that their wages may be raised to fair compensation.

Which was referred to the Committee on Fees and Salaries.

By Mr. McVey,

A petition from sundry citizens of Marion county, Indiana, praying for the passage of a law that will effectually suppress the sale of intoxicating liquors in the State.

Which was referred to the Committee on Temperance.

By Mr. Shuey,

Two petitions from sundry citizens of Elkhart county, on the subject of temperance.

Which was referred to the Committee on Temperance.

By Mr. Foulke,

A petition from sundry citizens of Wayne county, Indiana, praying that the School Law may be amended so as to inaugurate the German language as one of the branches to be taught in our public schools.

Which was referred to the Committee on Education.

By Mr. Kilgore,

A petition from sundry citizens of Delaware, on the subject of temperance.

Which was referred to the Committee on Temperance.

H. J.—44

By Mr. Sim,

A petition from sundry citizens of Wayne county, Indiana, praying for a stringent law for the suppression of the crime of intemperance in our midst.

Which was referred to the Committee on Temperance.

By Mr. Sim,

A petition from sundry citizens of Wayne county, Indiana, praying for the passage of a law that will effectually suppress the sale of intoxicating liquors in this State.

Which was referred to the Committee on Temperance.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Branham, from the Committee of Ways and Means, made the following report:

MR. SPEAKER:

The Committee of Ways and Means, to whom was referred the report of the Military Committee on the condition of the Adjutant General's office, would report that they have examined said office, and agree with said Committee in regard to what is required in the office. We find that nearly all the papers, accumulated in the last four years, should be briefed and systematically arranged, both for the accommodation of the force in the office, and for the public. Books are necessary for the records required, and new and more cases are required for the preservation and classification of the books and papers, and that the clerical force of the office should be increased, to meet the increased and deferred business of the office. All the soldiers that are now, have been, or will be, in the service, as also the families and friends of such soldiers, as well as the citizens of the State in general, have a vital interest in having a complete record and a full history of all soldiers who are, or have been, in the service, both kept in the office and published, as has been done by several States. They also find that the rooms now occupied for the office, are entirely too small, and that the books and papers cannot be conveniently kept therein, and, owing to the fact that the office should be convenient to that of the Governor, they would recommend that the same be changed to the rooms now occupied by the Supreme Court.

In view of these facts, the Committee would recommend that the following items be placed in the General Appropriation bill:

That the sum of nine thousand, two hundred dollars be, and the same is hereby appropriated, for the Adjutant General's office, to pay the expenses of clerk hire, books, stationery, blanks, furniture, etc., necessary to complete the unfinished and deferred business of said office.

That the sum of twelve thousand dollars be, and the same is hereby appropriated, to pay the expenses of clerk hire, books, stationery,

blanks furnished, and incidental expenses for the current business of the office of the Adjutant General, for the year 1865; and that the further sum of twelve thousand dollars be, and the same is hereby appropriated, for the same purpose, for the year 1866.

That the Adjutant General of the State shall have the rank, pay and allowances of a Brigadier General in the army of the United States on post duty, to be paid out of the Treasury, out of army funds not otherwise appropriated, upon proper and duly certified vouchers.

Which was referred to the Committee of Ways and Means, with instructions to incorporate said amount in the Specific Appropriation bill.

Mr. Newcomb, from the Committee on the Judiciary, made the following report :

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 41, entitled "a bill to legalize sales by guardians under orders defective in not prescribing notice," have had the same under consideration, and have instructed me to report the same back, and recommend its passage.

Which was laid on the table.

Mr. Newcomb, from the same Committee, made the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 143, entitled "an act permitting attorneys, in State prosecutions, before Justices of the Peace, and to provide for their compensation," have had the same under consideration, and have instructed me to report the same back, with a recommendation that it do not pass.

Which was concurred in.

Mr. Newcomb, from the same Committee, made the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill, No. 123, entitled a "bill to declare forfeited the rights of way of certain railroad companies to branch roads, in part of which has been completed, and upon which no work has been done for ten years, and declaring that the rights of way aforesaid shall revert to the land owners along the route thereof," have had the same under consideration, and have instructed me to report the same back and recommend its passage.

Which was laid on the table.

Mr. Gregory, of Warren, from the Committee on Education, to whom was referred House bill, No. 199, offered by Mr. Gregory, of Warren, beg leave to report that they have examined said bill, and now return the same and recommend its passage.

Which was laid on the table.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed, without amendment, House bill, No. 160, entitled "an act to raise revenue for State purposes for the years 1865 and 1866, and declaring an emergency."

I am further directed to inform the House that the Senate has concurred in all the amendments of the House to Senate bill No. 3, an act to legalize the issuing of bonds, and making of appropriations, and the levy and assessment for taxes in certain cases, and making it unlawful after the quota of the State, on the present call, is filled, for Boards of County Commissioners, or the municipal authorities of incorporated towns and cities, to pay any money out of their treasuries, or issue any bonds, orders, or evidences of indebtedness, to give bounties to volunteers, drafted men or substitutes—and has adopted the accompanying additional amendments thereto.

In which the House is respectfully requested to concur.

Mr. Collins, of Adams, obtained leave of absence, on account of sickness.

Mr. Boyd, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred sundry claims of William Braden, for various amounts hereinafter named, have had the same under consideration, and beg leave to report that the same have been acted upon by the Auditing Committee. It is therefore recommended that the claims be referred to the Committee of Ways and Means, to be incorporated in the Specific Appropriation bill for payment. The claims are as follows, to-wit:

Wm. Braden, for the sum of one hundred and two dollars and seven cents, for stationery for use of Adjutant General of State, 1863; also, for the sum of one thousand one hundred and fifty-four dollars and seventy-two cents, for stationery for use of the Adjutant General of State in 1864; also, for the sum of five hundred and sixty-five dollars and eighty-five cents, for stationery, for use of the Adju-

tant General of the State in 1863 ; also, for the sum of four hundred and thirty-eight dollars and thirty-five cents, for stationery, for use of the Adjutant General of State in 1863 ; also, for the sum of fifty dollars and fifty-five cents, for use of Auditing Committee in 1862.

Which was referred to the Committee of Ways and Means, with instructions to incorporate the several amounts in the Appropriation bill.

Mr. Boyd, from the same Committee, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred sundry claims for various amounts hereinafter named, have had the same under consideration, and would recommend that they be allowed and referred to the Committee of Ways and Means, to be incorporated in the Specific Appropriation bill for payment. The claims are as follows, to-wit :

Wm. Braden, for the sum of twenty-five dollars for stationery, per order of State Librarian; also for the sum of six dollars and fifty-five cents for ribbon, chisel, mallet, &c., in 1865 ; also for the sum of six dollars and twenty-five cents for stationery in 1862 ; also for the sum of ten dollars and thirty-five cents for stationery for use of the Superintendant of Public Instruction in 1862 and 1863 ; also for the sum of thirty-three dollars for stationery for use of Auditing Committee in 1864 ; also for the sum of four hundred and eighty-eight dollars and seventy-five cents for stationery for use of Adjutant General of State in 1864 ; and for the sum of one hundred and nineteen dollars and twenty-five cents for use of Adjutant General of State in 1865.

Which was referred to the Committee of Ways and Means, with instructions to incorporate the said sums in the specific appropriation bill.

Mr. Emerson, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims to whom was referred the following named claims for the various amounts and purposes, hereinafter named, have had the same under consideration, and would recommend that they be allowed, and referred to the Committee of Ways and Means, to be incorporated in the specific appropriation bill for payment :

Geo. W. Pitts for the sum of two hundred and forty dollars for

ice for use of Legislature in 1865; also for the sum of two hundred and forty dollars for ice for the use of Legislature in 1865.

John C. Dunn, for the sum of eighty-eight dollars for gas pipe and fixtures, for use at State House in 1865.

Spiegel, Thoms & Co., for the sum of twenty-seven dollars and fifty cents, for stools, tables, &c., for the use of Legislature in 1865.

Merrill & Co., for the sum of four dollars and seventy-five cents, for books furnished State Librarian in 1863.

Spiegel, Thoms & Co., for the sum of three hundred and ninety-one dollars, for chairs, stools, &c., for use of House of Representatives in 1865.

Cox & Brandt, for the sum of nine dollars, for writing fluid for State Librarian in 1863.

Which was referred to the Committee of Ways and Means, with instructions to incorporate said amount in the Specific Appropriation bill.

Mr. Groves, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of E. P. Spillman, for the sum of \$227 50 for services rendered as Marshal of Lagrange county, have had the same under consideration and would report it back to the House with the recommendation that it lay on the table. The Committee considered that it should be paid by the United States if paid at all.

Which was concurred in.

Mr. Groves, from the same Committee, made the following report:

MR. SPEAKER:

The Committee on Claims to whom was referred the claim of T. J. Johnson for the sum of one hundred and twenty-three dollars and sixty-five cents, for expenses incurred in the arrest of L. B. Calhoun, have had the same under consideration and would report the same back to the House with the recommendation that it lay on the table.

Which was concurred in.

Mr. Groves, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims to whom was referred sundry claims for various amounts, hereinafter named have had the same under consideration, and would beg leave to report them back to the House with the recommendation that they lay on the table for the reason that there is a lack of evidence to sustain them. The claims are as follows :

J. J. Bingham, for the sum of \$721 00.

M. Whitmore, for the sum of \$50 41.

Bingham, Doughty & Co., for the sum of \$16 00.

George Arnold, for the sum of \$182 26.

L. S. Newell, for the sum of \$174 95.

Allen W. Smith, for the sum of \$40 00.

Grafton Cookerly, for the sum of \$2,500 00.

Calvin Jones, for the sum of \$500 00.

The report was concurred in and the claims laid on the table.

Mr. Major, from the Committee on Fees and Salaries, made the following report :

MR. SPEAKER :

The Committee on Fees and Salaries, to whom was referred House resolution, No. 10, which reads as follows :

*Resolved*, That the Committee on Fees and Salaries be requested to take the subject into consideration, and report, by bill, to raise the salaries of County officers, in such cases, and to such a degree, as justice may demand—

Report that they have considered the same, and recommend that said resolution do lie on the table.

Which was concurred in.



Mr. Major, from the Committee on Fees and Salaries, made the following report :

MR. SPEAKER :

The Committee on Fees and Salaries, to whom was referred the resolution offered by Mr. Thatcher, in relation to the employment of Clerk for said Committee, in order to procure an abstract of the fees and salaries of State and County officers, as prescribed in an act to ascertain the amount of fees and salaries of the Supreme, Circuit, and Common Pleas Courts of this State, of the Sheriff of the Supreme Court, and of the various Counties of this State, of County Auditors, Treasurers, and Recorders of Circuit, and Prosecuting Attorneys, and to provide punishment for a violation of its provisions, approved June 3, 1861, beg leave to report that they procured said abstract, showing that the Clerks of fifty-eight Counties only complied with said act in 1864; that sixty-two Auditors made such returns in 1863, and fifty-four in 1864; that seventy Recorders made such reports in 1863, and fifty-four in 1864; that — Sheriffs made such reports in 1863, and in 1864 only fifty; that eight Prosecuting Attorneys reported in 1863—none in 1864. The Committee having relied solely on the action of their Clerk for the above statement, are not certain but some inaccuracies may have occurred, but are of opinion that it is an approximation to the truth.

All of which is respectfully submitted.

Which was laid on the table.

Mr. Rhoads, from the Joint Committee on Enrolled Bills, made the following report :

MR. SPEAKER :

The Joint Committee on Enrolled Bills have examined enrolled act, No. 7, House of Representatives, and instruct me to report the same as correctly and properly enrolled.

Mr. Burns, from the Committee on Rights and Privileges of the Inhabitants of the State, made the following report :

MR. SPEAKER :

The Committee on Rights and Privileges, to whom was referred the petition of Jacob Charles and others, praying for the passage of an act for the protection of squirrels and small birds, have the same under consideration, and recommend that the consideration thereof be indefinitely postponed.

Which was concurred in.



Mr. Whiteside, from the Committee on Printing, made the following report :

MR. SPEAKER :

The Committee, to whom was referred House resolution, No. 36, authorizing the publication and distribution of the Arsenal Reports to soldiers, have had the same under consideration, and would respectfully report the same back to the House, with the recommendation that it be adopted.

The Committee are of the opinion that a public benefit would result from the publication and distribution of these Reports. Arms have been distributed to some 120 regiments, of 40 officers each, making 4,000 officers. Taking into consideration that at least one change has taken place, there should be published about 10,000 copies. The Committee are of the impression that the cost of these Reports will not exceed 50 cents a copy, printed in that economical and compact manner, which is just and fair. This being true, the whole cost will not exceed five thousand dollars. The Committee deem it proper to state, in this connection, that the Arsenal Reports, as published by the late State printer, are not in the shape to be used for the purposes mentioned in the resolution. They are cumbersome, and, to a great extent, unintelligible. It is not proposed, however, that the contemplated publication shall extend further back than the first of January, 1863, up to which time they have already been published. It is intended that each volume of the Reports shall be of the probable size of the Report of the Superintendent of Public Instruction. The necessity of the publication under consideration would readily appear, could a detailed history of the State Arsenal be here given. It is well known, however, that it has become, through the combined management of the Governor and Col. Sturm, inseparably connected with the military operations of the National Government, and more especially with those of the State of Indiana. When it is considered that all of our officers who have gone out in this war so suddenly sprung upon the nation, were volunteer officers, unaccustomed to do military duty and to keep those accounts necessary to a correct balance between them and the Government, the proposed publication seems not to be out of place. The Reports will contain an exact account of each officer of the State with the Government, and will enable each one to make that settlement with the same which has, in the absence of these Reports, occasioned so much complication and trouble.

Which was not concurred in.

Mr. Griffith, by unanimous consent, offered the following resolution :

*Resolved*, That the members of the Committee on Education who, by leave of this House, visited different localities of the State, with

the view to locate the Agricultural College, be allowed their mileage and expenses, as follows, to-wit :

Mr. Glazebrook.....	\$35 00
“ Stuckey .....	35 00
“ Chambers. ....	35 00
“ Allen.....	35 00
“ Gregory ....	21 00

And that the same be placed in the Specific Appropriation bill.

Mr. Branham moved to amend said resolution by inserting, in the proper place, “their actual expenses.”

Mr. Olleman moved to lay the resolution on the table.  
Which was not agreed to.

The question being on the amendment offered by Mr. Branham,  
It was agreed to.

The resolution as amended was then adopted.

Mr. Willis, from the Committee on Roads, made the following report :

The Committee on Roads, to whom was referred House bill, No. 69, direct me to report the same back, and recommend that it lay on the table.

Which was concurred in.

Mr. Bonner, from the same Committee, made the following report :

The Committee on Roads, to whom was referred House bill, No. 73, an act to amend sections 6, 10, 14, and 20 of an act entitled an act providing for the election or appointment of Supervisors of Highways, and prescribing certain of their duties, and those of county and township officers, in relation thereto, approved March 5, 1859, have considered the same, and ask to report said bill back to the House, and recommend that it lie on the table, inasmuch as there is a bill before the House, on its third reading, incorporating the same provisions.

Which was concurred in.

Mr. Buskirk, from Select Committee, made the following report :

The Select Committee to whom was referred Senate bill No. 15, have had the same under consideration and have directed me to recommend the following amendments and when so amended, recommend its passage.

1st. Amend by striking out the word "one" in line 4 section 1, and inserting the word "three."

2nd. Amend in same line by inserting the letter "s" to the word Commissioner.

3d. Amend by adding after the word corporation in 27th line, section 1, the following: "but it shall be the duty of such Commission to investigate and examine such claims and to take the testimony of witnesses for and against such claim, and reduce such evidence to writing and report the same to the next General Assembly with a recommendation as to what amount should be allowed, with the reasons therefor, but to leave the question of the liability of the State open and undetermined for the future action of the Legislature or the General Government."

4th. Amend by adding the letter "s" to the word Commissioner in line 41, section 2.

5th. Amend by adding the letter "s" to the word Commissioner, in line 44, section 3.

6th. Amend by adding the letter "s" to the word Commissioner in line 127, section 8.

7th. Amend by striking out the word "him" in line 131, section 8, and insert the word "them."

8th. Amend by striking out the word "his" in line 132 and insert the word "their."

9th. Amend by striking out the word "he" in line 134, section 8, and insert the word "they."

10th. Amend by striking out the word "his" in line 138, section 8, and insert the word "their."

11th. Amend by adding the letter "s" to the word Commissioner in line 140, section 8, and by adding after the word Commissioners the words "or a majority thereof."

12th. Amend section 9, by striking out the word "his" in line 143, and insert the word "their." Strike out same word in line 144 and insert the word "their."

13th. Amend section 9 by adding after the word "report" in line 144 the following: Separating said claims into the following classes.

1st. Claims for property taken, destroyed or injured by the rebels.

2nd. Claims for property taken, destroyed or injured by the Union forces under command of Federal officers.

3d. Claims for property taken, destroyed or injured by the Union forces not under command of United States officers, with a statement showing specifically in each case, under what circumstances, and by what authority such property was so taken, injured or destroyed.

14th. Amend section 9 by striking out the word "he" in line 146, and insert the word "they."

15th. Amend section 9 by adding the letter "s" to the word Commissioner in line 150.

16th. Amend section 9 by striking out the word "he" in line 163.

17th. Amend section 9 by striking out "he" in line 172, and insert the word "they."

18th. Amend section 10 by striking out the word "eight" and inserting the word "six."

19th. Amend section 10 by adding the letter "s" to the word Commissioner in line 190.

20th. Amend section 11 by adding the letter "s" to the word Commissioner in line 192.

21st. Amend section 11 by adding after the word "he" in line 194 "or they."

22nd. Amend section 12 by adding the letter "s" to the word Commissioner in line 200.

Which was laid on the table.

Mr. Whiteside, by unanimous consent, was allowed to make the following report from the Committee on the Judiciary.

MR. SPEAKER :

The Committee to whom was referred the claim of Morrison and Ray, attorneys, for services in the case of May, J. Jamison and others vs. the Trustees of the Indiana Institute for the Education of the Blind, have had the same under consideration and beg leave to report that they be allowed the sum of \$500 for said services.

Mr. Newcomb, moved to amend by striking out \$500 and inserting \$1000.

Messrs. Olleman and Groves demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Burnes, Burwell, Buskirk, Church, Coffroth, Croan, Gregory of Warren, Harrison, Howard, Montgomery, McVey, Newcomb, Rice, Shuey, Sim, Spencer and Steward—18.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Bonner, Boyd, Branham, Brown, Burton, Cook, Chambers, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregory of Montgomery, Groves, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Johnson, Kilgore, Lane, Lee, Lemon, Lockhart, Lopp, Major, Miller of Clinton, Miller of Tippecanoe, Milroy, O'Brien, Olleman, Osborn, Patterson, Perigo, Reese, Rhoads, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Stenger, Stringer, Stuckey, Sullivan of Scott, Thatcher Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—67.

So the motion did not prevail.

Mr. Abbett, moved to strike out "five hundred" and insert "three hundred."

Which was not agreed to.

The question being on concurring in the report of the Committee.

Messrs. Groves and Olleman demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Branham, Brown, Burnes, Burwell, Buskirk, Church, Coffroth, Cook, Cox, Croan, Crook, Ferris, Foulke, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Hargrove, Harrison, Higgins, Hogate, Hoover, Howard, James, Johnson, Kilgore, Lane, Lockhart, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, McVey, Montgomery, Newcomb, Osborn, Perigo, Rhoads Rice, Richards, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Steward, Stenger, Stivers, Stuckey, Sullivan of Scott, Thatcher, Trussler, Upson, Welch, White, Whiteside, Woodruff, Wright and Mr. Speaker—63.

Those who voted in the negative were.

Messrs. Abbett, Bonner, Boyd, Emerson, Goodman, Glazebrook, Groves, Henricks, Hershey, Hunt, Lee, Lemon, Lopp, Major, O'Brien,

Olleman, Patterson, Reese, Richardson, Roach, Stringer, Veach, Willis and Woods—24.

So the report was concurred in.

On motion by Mr. Coffroth,

The same was referred to the Committee of Ways and Means, with instructions to insert said amount in the Specific Appropriation bill.

Mr. Chambers, from the Committee on Engrossed Bills, made the following report :

MR. SPEAKER :

The Committee on Engrossed Bills have compared bills Nos. 149, 124, 126 and 186, and find the same correctly engrossed.

Mr. Gregory of Warren, by unanimous consent, offered the following resolution :

*Resolved*, That the members of the House Committee on State Prison North be each allowed the sum of twenty-five dollars for visiting said Prison, and examining the same, with the accounts thereof, and that the Committee of Ways and Means be directed to incorporate the same in the Specific Appropriation bill.

Mr. Branham moved to amend by inserting in the proper place the "actual expenses of the members."

Mr. Coffroth moved to lay the resolution on the table.  
Which was agreed to.

Mr. Branham, by unanimous consent, offered the following resolution :

*Resolved*, That the Adjutant General be requested to furnish the House with the following information :

1st. The whole number of re-enlisted veterans from this State authorized to be credited on any of the calls of the President for volunteers or drafted men.

2d. The manner in which such veterans were reported for credit, and whether the facts shown upon the rolls have, in every instance, been taken as a guide in making up such report, and, if any other basis was adopted, the reason for such modification or change.

3d. Whether the credits were given by the Provost Marshal as reported, and any other information he may have on the subject.

Which was adopted.

Mr. Branham, by unanimous consent, introduced House bill No. 200. A bill making specific appropriation for the year 1865. Which was read a first time, and passed to a second reading.

Mr. Woods moved to suspend the order of business, and take up House bills on third reading. Which was agreed to.

The Speaker announced that he had signed House bill No. 7.

#### HOUSE BILLS ON THIRD READING.

House bill No. 9. A bill to repeal any restrictions or limit as to the per centum per annum to be divided to the stockholders of any railroad company that shall have organized and constructed a railroad prior to the adoption of the Constitution of this State, or to the enactment of the General Assembly providing for the incorporation of railroad companies, so that all railroad companies shall be upon equal footing, and have the same terms as to dividends upon their earnings. Was taken up—the same having been read a third time, on Tuesday last.

The question being shall the bill pass ?

Mr. Pettit moved that the bill be laid on the table.

Mr. Miller, of Tippecanoe, moved the previous question. Which was seconded by the House.

The question being, shall the main question be now put ? Which was ordered.

The question being on the motion to lay on the table,

Messrs. Pettit and Groves demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Boyd, Burnes, Chambers, Crook, Groves, Henricks, Hershey, Higgins, Hogate, James, Johnson, Kilgore, Lane, Lemon, Lopp, Major, Montgomery, MeVey, Newcomb, Olleman, Richards, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Stivers, Stuckey, Willis, Woods and Mr. Speaker—32.

Those who voted in the negative were,

Messrs. Abbett, Bird, Bonner, Buskirk, Church, Coffroth, Cook, Croan, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Hargrove.

Harrison, Hoover, Howard, Hunt, Lasselle, Meredith, Miller of Tippecanoe, Milroy, O'Brien, Osborn, Perigo, Reese, Rhoads, Rice, Richardson, Roach, Shoaff of Jay, Stringer, Sullivan of Scott, Thatcher, Upson, Welch, Whiteside, Woodruff, and Wright—43.

So the bill was not laid on the table.

The question recurring, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Bird, Bonner, Buskirk, Church, Cook, Croan, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Hargrove, Harrison, Hoover, Howard, Hunt, Meredith, Miller of Tippecanoe, O'Brien, Perigo, Rice, Richardson, Roach, Shoaff of Jay, Sullivan of Scott, Thatcher, Upson, Welch, Whiteside, Woodruff and Wright—36.

Those who voted in the negative were,

Messrs. Atkinson, Banta, Boyd, Burnes, Chambers, Crook, Groves, Henricks, Hershey, Higgins, Hogate, James, Johnson, Kilgore, Lane, Lemon, Lockhart, Lopp, Major, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Reese, Rhoads, Richards, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Stivers, Stringer, Stuckey, Trusler, Willis, Woods and Mr. Speaker—39.

So the bill did not pass.

Mr. Shuey moved to reconsider the vote just taken, and to lay the motion to reconsider on the table.

Pending which,

The Speaker announced that he had signed House bill No. 8.

Mr. Rhoads, from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills would respectfully report that they have examined Enrolled House bill No. 8, and find that the same is correctly and properly enrolled.

On motion by Mr. Hamrick,  
The House adjourned.



2 O'CLOCK, P. M.

The House met.

Pending the adjournment this morning, was the motion of Mr. Shuey to reconsider the vote by which the House refused to pass House bill No. 9, and to lay that motion on the table.

The same was not agreed to.

The question recurring on the motion to reconsider the vote by which the House refused to pass House bill No. 9,

The same was agreed to.

Mr. Newcomb moved to make House bill No. 9, the special order for Monday next at 9 o'clock.

Which was not agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Bonner, Buskirk, Church, Cook, Cox, Croan, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Hargrove, Harrison, Hoover, Howard, Hunt, Lasselle, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, O'Brien, Perigo, Rhoads, Rice, Richardson, Shoaff of Jay, Spencer, Stenger, Sullivan of Scott, Thatcher, Upson, Veach, Welch, Whiteside, and Woodruff—42.

Those who voted in the negative were,

Messrs. Atkinson, Banta, Bird, Boyd, Burnes, Burwell, Chambers, Crook, Groves, Henricks, Hershey, Higgins, Hogate, James, Johnson, Kilgore, Lane, Lee, Lemon, Lockhart, Lopp, Major, Montgomery, McVey, Newcomb, Olleman, Osborn, Patterson, Reese, Richards, Riford, Sabin, Shoaff of Allen, Sim, Stewart, Stivers, Stringer, Stuckey, Trusler, Willis, Woods and Mr. Speaker.—42.

So the bill failed to pass.

Engrossed House bill No. 32. A bill to provide for taking the depositions, affidavits and acknowledgments of persons in the military or naval service of the United States.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Bonner, Boyd, Branham, Burnes, H. J.—45

Burwell, Buskirk, Chambers, Church, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, James, Johnson, Kilgore, Lane, Lasselle, Lemon, Lockhart, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Reese, Rhoads, Rice, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Steward, Stenger, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—82.

Those who voted in the negative were,

Messrs. Bird and Lee—2,

The question being, shall the title, as read, stand as the title of the bill?

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

Engrossed House bill No. 49. A bill to amend section thirteen of an act approved May 12th, 1862,

Was read a third time.

The question being, shall the bill pass?

Mr. Meredith moved that the bill be indefinitely postponed.

Which was agreed to.

Engrossed House bill No. 52. A bill to render uniform the assessment of personal property in the several townships of the different counties.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bonner, Bird, Burnes, Burwell, Chambers, Church, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Johnson, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Olleman, Patterson, Perigo, Rhoads, Rice, Richardson, Riford,

Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stenger, Stivers, Stuckey, Sullivan of Scott, Trusler, Upson, Veach, Welch, Whiteside, Willis, Woodruff, Woods, Wright, and Mr. Speaker—67.

Those who voted in the negative were,

Messrs. Banta, Boyd, Glazebrook, Hamrick, Hunt, Lane, Osborn, Reese, Richards, Stringer, Thatcher, and White—12.

The question being, shall the title, as read, stand as the title of the bill.

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

Engrossed House bill No. 53. A bill to amend section 14 of an act entitled "an act to provide for the uniform mode of doing business, prescribing the duties of certain officers in connection therewith, and to repeal all laws in conflict with this act," approved February 18, 1859.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Bird, Bonner, Boyd, Burnes, Burwell, Church, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, Johnson, Kilgore, Lane, Lee, Lemon, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Reese, Rhoads, Rice, Richards, Riford, Sabin, Shoaff of Jay, Shuey, Spencer, Stenger, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—74.

Those who voted in the negative were,

Messrs. Chambers, Richardson and Shoaff of Allen—3.

The question being, shall the title, as read, stand as the title of the bill.

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

Engrossed House bill No. 55. A bill authorizing persons therein named, to dig a canal from the Calumet River to Lake Michigan, for the purpose of draining a portion of the swamp lands of Lake and Porter counties.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Bird, Bonner, Burnes, Burwell, Chambers, Church, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Hignins, Hogate, Hoover, Howard, Hunt, Johnson, Kilgore, Lane, Lee, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Reese, Rhoads, Rice, Richards, Riford, Roach, Sabin, Shoaff of Jay, Shuey, Spencer, Stenger, Stivers, Stringer, Stuckey, Sullivan of Scott, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—76.

Those who voted in the negative were,

Messrs. Boyd, Richardson and Thatcher—3.

The question being, shall the title, as read, stand as the title of the bill?

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

Engrossed House bill No. 57. A bill to amend section 784 of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of the State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Was read a third time.

Mr. Miller, of Tippecanoe, moved the previous question.  
Which was seconded.

The question being, shall the main question be now put?  
It was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Branham, Brown, Burton, Burnes, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Glazebrook, Gregg, Gregory of Warren, Griffith, Hamrick, Hargrove, Harrison, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, Johnson, Kilgore, Lane, Lasselle, Lee, Lemon, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Osborn, Patterson, Perigo, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Sim, Spencer, Steward, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods and Mr. Speaker—76.

Those who voted in the negative were,

Messrs. Banta, Boyd, Goodman, Groves, Henricks, Lockhart, Newcomb, Olleman, Shuey, Stenger and Wright—11.

The question being, shall the title, as read, stand as the title of the bill?

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

Engrossed House bill No. 58. A bill to amend the 5th and 6th sections of an act regulating interest on money, and to repeal an act entitled an act concerning interest on money, approved May 27, 1852; the 51st section of an act defining misdemeanors and prescribing punishment therefor, approved June 14th, 1852, with all other laws and parts of laws in conflict with this act, approved March 7th, 1861.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Bird, Bonner, Burnes, Burton, Burwell, Chambers, Coffroth, Cook, Croan, Emerson, Ferris, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, Kilgore, Lane, Lasselle, Lee, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, McVey,

Patterson, Perigo, Reese, Rhoads, Rice, Richards, Richardson, Roach, Sabin, Shoaff of Allen, Spencer, Steward, Stenger, Stringer, Sullivan of Scott, Trusler, Upson, Veach, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—65.

Those who voted in the negative were,

Messrs. Boyd, Branham, Brown, Cox, Crook, Foulke, Glazebrook, Griffith, Harrison, Johnson, Montgomery, Newcomb, Olleman, Osborn, Riford, Shoaff of Jay, Shuey, Sim and Thatcher—19.

The question being, shall the title, as read, stand as the title of the bill?

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

House Joint Resolution No. 11. A Joint Resolution for the relief of George W. Archer, refunding to him the purchase money and interest thereon paid for certain real estate sold as Swamp Land by the State, when the title was in one Michael John.

Was read a third time.

The question being, shall the Joint Resolution pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Bird, Bonner, Boyd, Brown, Burnes, Burton, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, Johnson, Lane, Lasselle, Lee, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Spencer, Steward, Stenger, Stivers, Stringer, Sullivan of Scott, Thatcher, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Wright and Mr. Speaker—81.

None voting in the negative.

The question being, shall the title, as read, stand as the title of the Joint Resolution.

It was so ordered.

So the Joint Resolution passed.

*Ordered*, That the Clerk inform the Senate thereof.

Message from the Senate by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed House bill No. 14, entitled "a bill for the relief of the families of soldiers, seamen and marines in the State and United States service, and of those who have died or been disabled in such service, and prescribing the duties of certain officers therein named," and has adopted the accompanying Engrossed Senate Amendments thereto.

In which the concurrence of the House is respectfully requested.

The Senate has also passed, without amendment, House bill No. 20, entitled a bill for the encouragement of Agriculture; authorizing the Indiana State Board of Agriculture to purchase, hold and sell real estate; legalizing the purchase by said Board of certain lands in Marion county, exempting the property of said Board from taxation; authorizing the County Treasurer of Marion county and the Treasurer of State to refund certain taxes, and making an annual appropriation for the use of said Board.

I am further directed to notify the House, that the Senate has passed the following Engrossed bills thereof, to-wit:

Engrossed Senate bill No. 181. An act to amend section 1 of an act entitled an act to incorporate the Trustees of the Indiana Female College, approved February 13th, 1851.

Engrossed Senate bill No. 195. An act to legalize and declare valid and effectual all the orders, judgments, and other proceedings made, rendered and had, by and before the Court of Common Pleas of Dearborn county, in the State of Indiana, held in the court house of said county, in the month of February, in the year one thousand eight hundred and sixty-five, and then and there, by and before, the the several Judges of the said Court.

In which the concurrence of the House is respectfully requested.

I am still further directed by the Senate to return to the House, Enrolled Acts, No. 7 and 8, of the House, which have received the signature of the President of the Senate.

Mr. Rhoads, from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills, have examined Enrolled

Act No. 160, (House of Representatives,) and instruct me to report the same as correctly and properly enrolled.

The Speaker announced that he had signed House bill No. 160.

House bill No. 62. A bill empowering incorporated cities and towns to plant and maintain shade trees along the streets, alleys, public squares and commons thereof, and to provide for the protection of the same at the expense of the adjoining property holders.

Was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bird, Bonner, Brown, Burnes, Buskirk, Chambers, Church, Coffroth, Cox, Croan, Crook, Foulke, Glazebrook, Gregory of Warren, Griffith, Harrison, Henricks, Hogate, Kilgore, Lasselle, Lemon, Lockhart, Lopp, Meredith, Miller of Clinton, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Spencer, Steward, Stenger, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woods, Woodruff, Wright and Mr. Speaker—56.

Those who voted in the negative were,

Messrs. Atkinson, Banta, Boyd, Burwell, Burton, Emerson, Ferris, Goodman, Gregg, Groves, Hamrick, Hargrove, Hershey, Hunt, Johnson, Lane, Lee, Major, Miller of Tippecanoe, Patterson, Reese, Richards, Shoaff of Jay, Stivers and Stringer—24.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was agreed to.

*Ordered*, That the Clerk inform the Senate thereof.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof, to-wit:

Engrossed Senate bill No. 143. An act to amend the 2d, 6th and



7th sections of an act entitled "an act concerning the organization of voluntary associations, and repealing former laws in reference thereto," approved February 12, 1855.

In which the House is respectfully requested to concur.

House bill No. 119. A bill to establish and create a State Normal School, and matters connected therewith.

Was taken up.

Mr. Rhoads moved to fill the blank in the last line of section eight with the word "one."

Mr. Kilgore moved to insert the word "five" before "dollars," in section seventeen.

Which was agreed to.

Mr. Rhoads moved to add to section seventeen, "to be paid out of the State Treasury."

Which was agreed to.

Mr. Rhoads moved to strike out the word "five," in section second, and insert the word "six."

Which was agreed to.

Mr. Harrison moved to insert the word "the" in first line of section seven, after the word "of," and insert the word "shall" in third line of same section, after the word "Board."

Which was agreed to.

Mr. Kilgore moved the previous question.

Which was seconded by the House,

The question being, shall the main question now be put?

It was so ordered.

The question being, shall the bill be considered as engrossed and read a third time?

It was agreed to.

So House bill No. 119 was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bonner, Branham, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Crook, Croan, Emerson, Ferris, Foulke, Glazebrook, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick,

Harrison, Henricks, Hogate, Kilgore, Lockhart, Major, Meredith, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Steward, Stivers, Stringer, Stuckey, Trusler, Upson, Whiteside, Willis, and Mr. Speaker—48.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Banta, Bird, Boyd, Brown, Burnes, Burton, Goodman, Gregg, Griffith, Hargrove, Hershey, Hunt, Johnson, Lasselle, Lemon, Lopp, Miller of Clinton, O'Brien, Perigo, Richardson, Richards, Roach, Shoaff of Jay, Spencer, Stenger, Sullivan of Scott, Thatcher, Veach, Welch, White, Woods and Wright—34.

So the bill failed to pass for the want of a constitutional majority.

House bill, No. 14. A bill for the relief of the families of soldiers, seamen, and marines, and sick and wounded Indiana soldiers in hospitals, in the State and United States service, and of those who have died or been disabled in such service, and prescribing the duties of certain officers therein named, was taken up, with the following engrossed amendments of the Senate :

Engrossed (Senate) amendments to House bill, No. 14. Amend the first section of the bill by inserting, after the words "of the," in the third line of said section, the following words: "Sick and wounded soldiers in hospital, and."

Also, in the last line of said section, after the word "families," insert the following words: "And sick and wounded Indiana soldiers in hospital."

Amend the second section of said bill by inserting, after the word "belong," in the last line, the following words: "And that one hundred thousand dollars of said fund be and the same is hereby appropriated in each of the years 1865 and 1866, under the control and direction of the Governor, for the relief of sick and wounded Indiana soldiers in hospital."

Amend the fourth section of said bill by striking from said section the last three words thereof, viz: "Or any substitute."

Amend the seventh section of said bill by inserting, after the words, "per month," in the fourth line of page 11 of the bill, the following words: "And if said child be motherless, four dollars per month."

Amend section 8 of said bill by striking out the first line thereof, viz: "and the Trustees of the township," and inserting in lieu

thereof, the following words: "The Township Trustee, as the disbursing officer of said fund, shall be required to give bond, to the acceptance of the County Commissioners, in double the amount that may come into his hands, and."

Amend section 9 of said bill by inserting, after the words "of each year," in the third line of said section, the following words: "And such other times as the Commissioners may require."

Amend section 10 of said bill by striking therefrom, in the seventh and eighth lines thereof, the words "not more than two," and insert in lieu thereof the article "a."

And, also, on page 16 of said bill, after the word "act," in the third line of said page, insert the following words: "And said person or persons so appointed by said Commissioners shall give bond, as required of said Trustee in section 8 of this act."

And, also, on page 17 of said bill, after the words "his pleasure," in the second line of said page, insert the following words: "Not exceeding two years."

Amend section 11 of said bill, on page 19 thereof, by striking out the first three words on said page, viz: "the Trustees of," said words having been duplicated.

Amend section 12 of said bill, on page 20 thereof, by inserting after the word "authorized," in the third line of said page, the following words: "And required."

Amend the title of said bill, in the second line, after the word "marines," by inserting the following words: "And sick and wounded Indiana soldiers in hospital."

Which were severally read, and,

On motion,

Concurred in.

Mr. Rhoads, from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER :

The Joint Committee on Enrolled Bills would respectfully report that they have carefully compared engrossed bills of the House, Nos. 7 and 8, with the engrossed copies thereof, and find that the same are, in all respects, correctly enrolled, and that they presented the same to His Excellency, O. P. Morton, Governor of the State, for his approval, this, the 1st day of March, 1865, at 4:30 o'clock P. M.

Senate bill, No. 30. An act to authorize, regulate, and confirm the sale of railroads, to enable purchasers of the same to form corporations and to exercise corporate powers and privileges, to enable such corporations to purchase and construct connecting and branch roads, and to operate and maintain the same.

Was taken up.

Mr. Branham offered the following amendment :

*Provided*, That the provisions of this act shall not be so construed as to authorize any railroad company, organizing under the same, to consolidate with, or acquire by contract, to purchase the railroad bed, real and personal property, right and franchise of any railroad already built, equipped, and operated within the State of Indiana, and which may cross or intersect the line of the road of any company organized under this act ; but the powers of consolidation and purchase shall be, and are hereby limited and restricted to such roads within the State of Indiana as may cross and intersect the same, and which have not been equipped and operated, in whole or in part.

Which were agreed to.

On motion,

The bill was considered as engrossed, and read the third time, and the question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burton, Buskirk, Church, Coffroth, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Howard, Hunt, James, Johnson, Lane, Lasselle, Lee, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Milroy, Newcomb, O'Brien, Olleman, Perigo, Reese, Rhoads, Rice, Richards, Richardson, Riford, Shoaff of Jay, Spencer, Stewart, Stenger, Stivers, Stuckey, Sullivan of Scott, Thatcher, Upson, Veatch, Welch, White, Whiteside, Woodruff, Wright and Mr. Speaker—70.

Those who voted in the negative were,

Messrs. Chambers, Hamrick, Henricks, Hershey, Hogate, Hoover, Kilgore, Montgomery, McVey, Osborn, Sabin, Shuey, Sim, Stringer, Willis, and Woods—16.

So the bill passed.

The question being, shall the title, as read, stand as the title of said bill ?

It was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Brown moved to reconsider the vote on the passage of said bill, and to lay that motion on the table.

Which was agreed to.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof, to-wit:

Engrossed Senate bill No. 184. A bill to amend section 5 of an act entitled "an act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2d, 1855.

In which the concurrence of the House is respectfully requested.

Senate bill No. 3. An act to legalize the issuing of bonds, and making of appropriations, and the levy and assessment for taxes in certain cases; and making it unlawful, after the quota of the State on the present call is filled, for Boards of County Commissioners, or the municipal authorities of incorporated towns and cities, to pay any money out of their treasuries, or to issue any bonds, orders, or evidences of indebtedness, to give bounties to volunteers, drafted men, or substitutes,

Was taken up, and the following engrossed amendments thereto read:

Engrossed amendment to Senate bill No. 3. Adopt as section 4, the following:

SEC. 4. *And be it further enacted*, That all orders and obligations for the purposes aforesaid, made or entered into by any Township Trustee, and all taxes which have heretofore, or which may hereafter, be levied for the payment of such indebtedness, by the Township Trustee, with the approval of the Boards of Commissioners, of the county, be and the same are legalized and authorized.

Adopt as section 5, the following:

SEC. 5. It is hereby provided that in all cases of taxes assessed and charged to pay all such debts as are named in this act on the property of persons who have been, or are now, in the naval, marine or military service of the United States in the present war for sup-

pressing the Southern rebellion, or their families or descendants, not including substitutes, or those who have not served one year, or those who received bounties from counties to the amount of three hundred dollars or over, the service of such person so being, or having been, in military service, shall be deemed equal to such taxes; and said taxes shall be satisfied and discharged on the order of the Board of Commissioners of the proper county, or in vacation of said Board, or the order of the County Auditor."

Add to the emergency clause the following words:

"And publication in the Indianapolis Daily Journal and Indiana State Sentinel."

Mr. Miller, of Tippecanoe, moved the previous question.  
Which was not agreed to.

Mr. Buskirk offered the following amendment, to be added to the fifth section, to-wit:

"*Provided*, That the provisions of this section shall not extend to or embrace commissioned officers."

Mr. Lockhart moved the previous question.  
Which was not seconded.

The question being on agreeing to the amendment offered by Mr. Buskirk.

Messrs. Olleman and Griffith demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Bird, Bonner, Branham, Brown, Burton, Buskirk, Church, Coffroth, Cook, Croan, Crook, Emerson, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Howard, Hunt, James, Johnson, Lane, Lee, Lemon, Lopp, Major, Meredith, Milroy, Montgomery, McVey, Newcomb, O'Brien, Osborn, Patterson, Perigo, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Shuey, Spencer, Steward, Stenger, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher, Welch, White, Whiteside, Willis, Woods, Wright and Mr. Speaker—70.

Those who voted in the negative were,

Messrs. Boyd, Burnes, Chambers, Cox, Ferris, Foulke, Hoover, Kilgore, Lockhart, Miller of Tippecanoe, Olleman, Upson, and Woodruff—13.

So the amendment was agreed to.

Mr. Buskirk moved that the House disagree to the engrossed amendments of the Senate.

Messrs. Olleman and Griffith demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Bird, Brown, Burton, Buskirk, Coffroth, Cook, Croan, Glazebrook, Gregg, Hargrove, Harrison, Howard, Hunt, Lee, Lemon, Lopp, Miller of Clinton, O'Brien, Osborn, Perigo, Rhoads, Rice, Richards, Richardson, Roach, Shoaff of Jay, Spencer, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach, White and Woodruff—36.

Those who voted in the negative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lane, Lockhart, Major, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Patterson, Reese, Riford, Sabin, Shuey, Sim, Stivers, Stringer, Trusler, Upson, Welch, Whiteside, Willis, Woods, Wright and Mr. Speaker—51.

So the engrossed amendments of the Senate, with the amendment of the House, was agreed to.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Buskirk offered the following resolution :

*Resolved*, That Henry Crawford be allowed the sum of forty-seven dollars for four days' service, and mileage in coming to and returning from Indianapolis, to organize the House of Representatives at the session of 1863, and that the Committee of Ways and Means be directed to include the same in the Specific Appropriation bill.

*Resolved*, That A. T. Whittlesey be allowed the sum of sixty-six dollars for four days' service and mileage, in organizing the House of Representatives at the present session of the General Assembly, and that the Committee of Ways and Means be directed to include the same in the Specific Appropriation bill.

*Resolved*, That Frank Costigan be allowed the sum of twenty dollars for making a diagram of the House of Representatives during the session of 1863, and that the same be included in the Specific Appropriation bill.

Which were referred to the Committee of Ways and Means, with instructions.

Mr. Buskirk offered the following resolution :

*Resolved*, That L. B. Wilson be allowed the sum of twenty dollars for preparing a diagram for the House of Representatives for the session of 1865.

Which was referred to the Committee of Ways and Means, with instructions.

Mr. Olleman moved that when the House adjourn, it be till eight o'clock to-morrow morning.

Which was agreed to.

Mr. Lane moved to suspend the order of business and take up House bill No. 139, and make it the special order for the day on to-morrow morning at ten o'clock.

Which was not agreed to.

On motion,  
The House adjourned.

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THURSDAY MORNING, 8 o'clock, A. M., }  
March 2, 1865. }

The House met pursuant to adjournment.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Bonner, Branham, Burton, Church, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Johnson, Kilgore, Lee, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Montgomery, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Reese, Rhoads, Rice, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Stenger, Stringer, Stuckey, Sullivan, Thatcher, Trusler, Upson, Veach, Welch, Whiteside, Willis, Woodruff, Woods, and Mr. Speaker—70.



There being a quorum present, the further call was dispensed with.

On motion,

The reading of the Journal was dispensed with, and the Journal approved as the proceedings of yesterday.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Miller, of Tippecanoe, from the Committee of Ways and Means, made the following report :

MR. SPEAKER :

The Committee of Ways and Means, to whom was referred House bill, No. 195, have had the same under consideration, and direct me to report the following amendment :

Insert after the title of the bill, "Be it enacted by the General Assembly of the State of Indiana, That the second section of an act entitled 'an act to provide a treasury system for the State of Indiana, for the manner of holding, receiving, and disbursing the public moneys of the State, and for the safe-keeping of the public moneys,' approved March 1, 1859," and, when so amended, to recommend its passage.

Which was laid on the Table.

Mr. Rhoads, from the Joint Committee on Enrolled Bills, made the following report :

MR. SPEAKER :

The Joint Committee on Enrolled Bills have examined enrolled act, No. 20, House of Representatives, and instruct me to report the same as correctly and properly enrolled.

Mr. Newcomb, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Committee on the Judiciary, to whom was referred Senate bill, No. 63, have had the same under consideration, and have directed me to report the following amendment, and, when so amended, they recommend its passage :

1st. Amend by striking out the bill, from the enacting clause, and insert the following :

H. J.—46

An act prohibiting Supreme, Circuit, or Common Pleas Judges, County Clerks, Auditors, Treasurers, Recorders, Sheriffs, and their Deputies, from practicing law in any of the Courts of this State, except as is in this act permitted, and prescribing punishment for the violation thereof.

Section 1. Be it enacted by the General Assembly of the State of Indiana, That it shall be unlawful for any Supreme or Circuit Judge to practice law in any of the Courts of this State, or to give council or advice in relation to any business in said Courts.

Sec. 2. It shall be unlawful for any Common Pleas Judge of this State to practice law in any of the Courts of this State that passes jurisdiction inferior to the Common Pleas Court, or in the Supreme Court in any case appealed from this Court, or give counsel or advice in relation to any business in said Courts.

Sec. 3. It shall be unlawful for County Clerks, Auditors, Treasurers, Recorders, Sheriffs, or their Deputies, to practice law in any of the Courts of the county in which they hold such office.

Sec. 4. Any person who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and, upon conviction thereof before any Court having jurisdiction, shall be fined in any sum not exceeding five hundred dollars.

Sec. 5. Inasmuch as there is now no law prohibiting the persons herein named from practicing law, it is declared that an emergency exists for the immediate taking effect of this act, therefore the same shall be in force from and after its passage.

Which was laid on the table.

Mr. Newcomb, from the same Committee, made the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. —, entitled "an act to prevent county officers and their deputies from practicing law during their term of office, and prescribing punishment therefor," have had the same under consideration, and have instructed me to report the same back, and recommend that it be laid upon the table, as the Committee have recommended the passage of a Senate bill on the same subject.

Which was concurred in.

Mr. Lockhart, by unanimous consent, presented the following claims:

From Hall & Hutchinson, for \$50; also \$20.

Which was referred to the Committee on Claims, without reading.

Mr. Branham, by unanimous consent, presented the following claim :

From E. J. Metzger, for \$92 61.

Which was referred to the Committee on Claims, without reading.

Mr. Higgins, from the Committee on Public Expenditures, made the following report :

MR. SPEAKER :

The Committee on Public Expenditures, upon whom devolved the duty of examining the vouchers in reference to the expenditures of public money, have discharged that duty, and direct me to report the following :

The amount drawn from the Legislative Appropriation, for the preceding session, was \$80,808 36, or \$2,808 more than was appropriated.

Your Committee have no information as to the authority by which this over-amount was drawn, and would suggest that proper legislation be had, if not to recover what has been, at least to prevent in future more from being drawn than the amount really appropriated. The money expended for public printing, amounting to the sum of \$70,035 90, the greater part of which labor is valuable only to the Public Printer, is, in the opinion of the Committee, more than is required under the law creating a State Printer, and defining his duties and compensation; and the Committee would respectfully suggest that, by proper legislation, a check may be put upon the useless and wasteful disbursement in this behalf, which has heretofore been chief characteristic. The Committee are aware of, and can not pass over the fact without notice, that a great many orders for printing were given by the Legislature which were expensive and altogether useless.

Feeling the urgent necessity that exists for the publication of the Laws, Messages, Documentary Journals, &c., would yet recommend that there should be a limit to the publication, and that the Public Printer should be allowed to draw for specific work under a general law, nor more than will compensate him for the necessary expense incurred in such publication.

Upon the matter of Sheriffs' mileage, your Committee would suggest that a uniform rate be established for every single convict conveyed to the State Prisons. They are allowed by law 15 cents per mile, going and returning, and the absolute expense of each additional convict, under the amended law. They appear to charge,

however, under the old law, 10 cents per mile, going and returning, in the majority of cases. Your Committee would also recommend that this be remedied by proper legislation.

Under the law regulating and defining the duties of the Superintendent of Public Instruction, your Committee would recommend that, of the School Fund which may be under his control, there shall be none disbursed except upon his individual requisition drawn upon the Auditor.

The Committee would also state that they have examined all the vouchers upon which the funds have been drawn, and that they find them all correct; and they also submit the different accounts as drawn off, to be disposed of as the House may see proper. All of which is respectfully submitted.

Which was laid on the table.

Mr. Higgins, from a Select Committee, made the following report :

MR. SPEAKER :

The Select Committee to whom was referred resolution No. 14, (that of Mr. Wright of Jefferson) to enquire into the propriety of converting the Northern Prison into a House of Refuge and Correction, and to report by bill or otherwise, have had the same under advisement and have directed me to report that the Committee in pursuance of the permission of the House, did visit the two Prisons in company with the Standing Committee of the House and made the necessary examinations required under said resolution.

The Committee, after a thorough examination, found that in the design, and thus far, in the construction of the walls, buildings, &c., of the Northern Prison, they had been built with reference that when completed, it shall be a first class institution of the kind, and is not adapted to the uses and purposes of a House of Refuge and Correction. The Committee are of the opinion, and have unanimously instructed me to report that the project of converting the Northern Prison into a House of Refuge and Correction is impracticable and inexpedient. The Committee recommend that they be discharged from the further consideration of the subject.

Which was laid on the table.

Mr. Boyd, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred the following named claims, for the various amounts and purposes hereinafter named, have had the same under consideration and would beg leave to report them back to the House with the recommendation that they lay on

table, as no evidence was produced to sustain said claims. They are as follows, to-wit:

Merrill & Co., for the sum of \$7 95.

J. C. Dunn, for the sum of \$34 00.

Knotts & Ryan, for the sum of \$13 75.

A. R. Newkirk, for the sum of \$25 00.

Lewis M. Hays, for the sum of \$14 20.

Which were laid on the table.

Mr. Boyd, from the same Committee, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the following named claims, for the various amounts and purposes hereinafter named, have had the same under consideration and would recommend that they be allowed and referred to the Committee of Ways and Means to be incorporated in the Specific Appropriation bill for payment. The claims are as follows, to-wit:

Hall & Hutchinson, for the sum of twenty dollars for stationary purchased by the State Librarian in 1865.

Munson and Johnson, for the sum of seventy-two dollars and fifty-five cents for sundry articles furnished for use of Adjutant General of State in 1865.

McDonald & Roach, for the sum of three hundred and fifty dollars for written opinion on question of payment of interest on State debt and services in Supreme Court.

Which was referred to the Committee of Ways and Means, with instructions to include the above in the specific appropriation bill.

Mr. Boyd, from the same Committee, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of Jacob Bramwell, for Jefferson county Agricultural Society, for the sum of \$2000 00 for damages done property of said society during the Morgan Raid, have had the same under consideration and would recom-

mend that it take the same course of other Morgan Raid claims, provision for which is now being made in a bill now before the House.

Which was referred to the Auditing Committee.

Mr. Boyd, from the same Committee, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred the petition of J. T. Smith, asking to be reimbursed for costs assessed against him in Dearborn Circuit Court for the sum of \$82 37, have had the same under consideration and would report it back to the House with the recommendation that it lay on the table.

Which was laid on the table.

Mr. Boyd, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred the following named memorials, petitions, claims, &c., have had the same under consideration and would beg leave to report them back to the House with the recommendation that they lay on the table. They are as follows, to-wit :

Memorial of N. F. Cunningham, late Treasurer of State.

Petition of T. S. Bellows, for the sum of fifty dollars.

Memorial of M. J. Lynch, asking pay for services rendered as volunteer Surgeon, at Chattanooga, Tenn.

Memorial of J. Mathews, asking that he be reimbursed for loss of land by re-survey.

Which was concurred in.

Mr. Boyd, from the same Committee, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred the following claims, for the various amounts and purposes herein after named, have had the same under consideration, and would recommend that they be allowed, and referred to the Committee of Ways and Means, to be incorporated in the specific appropriation bill for payment. The claims are as follows, to-wit :

Peter Wilkins, for labor during session of 1865, \$17 55.

J. L. Sailors, for soap, brushes, &c., session of 1865, \$7 41.

Tousey, Byram & Co., for crash, session of 1865, \$13 83.

Jas. G. Douglass, for binding Indiana Reports, in 1861, \$166 50.

Which was referred to the Committee of Ways and Means, with instructions to include the same in the specific appropriation bill.

Mr. Rhoads, from the Joint Committee on Enrolled Bills, made the following report :

MR. SPEAKER :

The Joint Committee on Enrolled Bills would respectfully report, that they have carefully compared engrossed House bill No. 160, with the enrolled copy thereof, and find that the same is, in all respects, correctly enrolled, and that they presented the same to His Excellency, Oliver P. Morton, Governor, for his approval, this, the 2d day of March, at 10 o'clock A. M.

Mr. Burton, from the Committee on Education, made the following minority report.

MR. SPEAKER :

The minority of the Committee on Education, to whom was referred House bill No. 6, "to establish an Agricultural College, wherein shall be taught such branches of learning as are related to Agriculture, including the Mechanic Arts and Military Tactics; also, such branches of science and literature as the General Assembly, or the Trustees of said College shall direct, and to appropriate funds for its endowment, support and maintainance, and to provide a Board of Trustees for its management," have given earnest attention to the various proposals which have been submitted in connection with the subject, and while agreeing in the main, with many of the opinions set forth in the majority report and in another minority report, feel compelled to differ with them, regarding the most advantageous point at which to locate said college.

The reasons entertained by this minority, for thus differing in opinion, are briefly subjoined as follows :

1st. That all past experience, in other States and Countries, proves the absolute necessity of a large endowment for the success of educational Institutions.

2d. That the present endowment, resulting from the sale of land or scrip, may, probably, not exceed \$200,000, which is a comparatively small sum; less than the present endowment of the Indiana State University.

3d. That the General Assembly has control of an endowment, which, united to the other, would make a respectable sum. That amount is the fund and buildings at present devoted to the State University for giving a literary education, and estimated at gold valuation as worth \$210,000.

4th. That in no other way can we, without taxation, at present out of the question, raise a sufficient endowment; otheawise, if a tax could be raised without overburdening, it might be well to consider the advantage of a great central institution a few miles from our State Capital, as contemplated in the House bill No. —.

5th. That no State should foster two large State institutions of learning, which must necessarily become, to some extent, rivals; but especially injurious would this seem for an agricultural State like Indiana.

6th. That nine-tenths of the population and resources of Indiana have an intimate connection with agriculture, and, consequently, this presents the interest most to be consulted in legislating, so as to give the greater benefit to the greatest number.

7th. That, therefore, the demand for the greatest good to the greatest number, requires the institution fostered by the State of Indiana, to be an Agricultural College, not a Literary University.

8th. That our wealthy youths can receive a *collegiate* education elsewhere, but that the majority can not go elsewhere to receive a thorough agricultural education, not having the means; besides, such colleges are usually open only to the citizens of the State.

9th. That none should be so educated as to look down on the occupation of their fathers, which is too apt to be the case in colleges exclusively literary; but rather that the cultivation of the soil should be elevated to the standard now occupied by the learned professions. This can be done by fostering one large State institution, in which the classics are by no means neglected, but in which all receive the agricultural knowledge so useful in the honorable avocation of farming, and at the same time preserve their health, develop their physical energies, and learn to respect labor, by performing some of the useful, practical work on the model farm, or in the model garden and nursery.

10th. That in addition to the propriety of uniting the two funds, by locating on the State University campus, and using the present State building, Monroe county itself presents no inconsiderable advantages, among which are these: The soil is of fair average quality, and farms can be had close around the college campus for about one hundred dollars per acre. The location has been proved to be healthy by the few deaths and the small amount of sickness among the students, since the first organization of the State University in that county. The town of Bloomington is of a suitable size to afford facilities for students to board with private families, and yet not to hold out the temptations of a large city for dissipation. Its citizens are also noted for being moral and religious. The situation of Bloomington, on the Louisville, New Albany and Chicago Railroad, makes it



sufficiently accessible for all practical purposes. Although, for the advantage of having the College visited by the Legislature, Board of Visitors, Educational Committee, Trustees, and similar bodies, it might be more convenient if near our State Capital.

The citizens of Monroe County further offer, in case the location is made there, to purchase and donate for the use and benefit of the Agricultural College, the large and valuable collection of the late Dr. Daniel Dale Owen. When we consider that this contains, in the cabinet, 40,000 specimens, collected from all parts of the globe, and many of which could not now be duplicated without great expense and personal labor; when we further note that the chemical apparatus is of the newest and best construction, and imported when every thing was at a gold standard, we may well consider this a valuable donation, certainly worth, in money, \$50,000, the sum at which Dr. Owen estimated it before his death. But when we further reflect that to its collection Dr. Owen devoted a lifetime, in connection with the surveys which it was designed to aid and illustrate, indeed, that for this, and similar scientific developments, he sacrificed his life by exerting his powers, this citizen of whom Indiana has reason to be proud, as the first who, in his capacity of State Geologist, developed Indianas mineral resources, while at a later period his services were sought after by Kentucky, Arkansas, and the General Government—when we recall all these facts, it seems indeed incumbent upon us to secure this valuable donation.

In view of all these advantages, this minority of the Education Committee recommends the passage of House bill, No. 6.

If that bill should, in its main features, meet the views of the General Assembly, and yet require some change to suit the majority of that body, let there be such modification of the same as shall at least locate for the time, the Agricultural College at Bloomington, the Legislature having full authority to dispose of the entire fund invested for support of said State University, and also of the buildings, in such manner as shall appear to that Legislative body productive of the most educational advantages. At any future time, when the war is closed and our debts are paid, and when Indiana has further means at her disposal, without overburdening her citizens by taxation, then let her not only rear monuments to the memory of the heroes who fell on the well fought field of Tippecanoe, and to those who nobly gave their lives in this war for the maintenance of their country's laws, on the many battle-fields rendered renowned by their deeds of valor and patriotism, but let Indiana raise a yet prouder and more lasting monument by establishing, by a system of equal and universal State education, husbanding and funding safely the principal of the monied resources devoted to the instruction of youth, and expending the interest of that fund in perfecting the most judicious, practical, and practicable system for the thorough training of our Indiana youth, physically, morally, and mentally. Let her

school system be inferior to that of no State in the Union. Then, let her endow her great Agricultural College, moving its location, if there is any other in which more advantages can be combined, and erecting buildings at its sight in Monroe County, or at a new location, if preferred, which shall be worthy of the vast and growing property of a State in which the fertility of the soil, the commercial facilities, the character of the population, and all combined advantages, should leave none satisfied to occupy a position less than that of undoubted and acknowledged pre-eminence.

Which was laid on the table.

Mr. Shuey, from the Committee on Temperance, made the following report :

MR. SPEAKER:

Your Committee, to whom was referred numerous petitions, asking this Legislature to enact a stringent liquor law, would respectfully report that bill No. 139, now before the House, would answer the purposes of said petitions, and in the opinion of this Committee said bill ought to receive the immediate attention of this House.

Which was laid on the table.

The Speaker announced that he had signed House bill No. 20.

Mr. Ferris moved to suspend the order of business, and take up Senate bill No. 195.

Which was agreed to.

Engrossed Senate bill No. 195. A bill to legalize and declare valid and effectual all the orders, judgments, and other proceedings, made, rendered, and had, by and before the Court of Common Pleas of Dearborn county, in the State of Indiana, held in the Court-house of said county in the month of February, in the year 1865, and then and there, by and before the several judges of the said Court.

Was read a first time.

Mr. Ferris moved that it be deemed expedient to suspend the constitutional rule, requiring bills to be read on three several days, and that said bill be read a second time now by its title.

The ayes and noes were taken under the constitution.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burton, Buskirk, Chambers, Church, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Warren, Gregory of Montgomery, Griffith, Groves, Ham-

rick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Kilgore, Lee, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Tippecanoe, Milroy, Montgomery, O'Brien, Osborn, Olleman, Reese, Rhoads, Rice, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Spencer, Stenger, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, and Wright—77.

None voting in the negative.

So it was deemed expedient to suspend said rule, and Senate bill No. 195 was read a second time by its title, and passed to a third reading on to-morrow.

By unanimous consent,  
Senate bill No. 168 was taken up and read a first time, and passed to a second reading.

Mr. Branham, by unanimous consent, introduced

House bill No. 201. A bill to provide for the adjustment of the outstanding debts of the State, and the investment of the School and Trust funds of the State in the stocks and bonds of the State, and to provide for the payment of the certificates of indebtedness of the State, under the arrangement made with the bondholders by the acts of the Legislature, approved January 19th, 1846, and supplemental thereto, approved January 27th, 1847; and to create a Board of Finance, and prescribing the duties of said Board, and matters properly connected therewith.

Which was read a first time, and passed to a second reading.

On motion by Mr. Branham,  
Five hundred copies were ordered to be printed.

Message from the Senate by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof, to-wit:

Engrossed Senate bill No. 56. An act to amend the 20th and 21st sections of an act entitled "an act providing for the election or appointment of Supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," and to make additional provisions on the same subject.

In which the House is respectfully requested to concur.

I am further directed to return enrolled act No. 160 of the House, which has been signed by the President of the Senate.

By unanimous consent,

House bill No. 30, "a bill requiring railroad companies to furnish transportation for freight to persons desiring to ship live stock or other freight over their roads, and requiring such roads to charge a uniform rate therefor,"

Was taken up.

The bill was read a second time, and the amendments heretofore reported were severally read and agreed to.

Mr. Woods offered the following amendment:

Add as an additional section: All railroads in this State, or consolidated with railroads without this State, shall have a Board of Directors within this State, and shall have an office within this State."

Mr. Shuey moved to refer the bill and pending amendment to a select committee of five.

Which was agreed to.

Engrossed Senate bill No. 184, "a bill to amend section five of an act entitled "an act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2d, 1855,"

Was taken up and read a first time.

Mr. Brown moved to suspend the constitutional rule requiring the reading of bills on three several days, and that engrossed Senate bill No. 184 be read a second time now by its title.

Those who voted in the affirmative were,

Messrs. Atkinson, Abbott, Banta, Bird, Bonner, Boyd, Branham, Brown, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Ferris, Foulke, Goodman, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Lasselle, Lee, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Jay, Sim, Spencer, Steward, Stenger, Stivers, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—79.

Mr. Glazebrook voting in the negative.

So it was deemed expedient to suspend the constitutional rule, and engrossed Senate bill No. 184 was read a second time by its title.

Mr. Newcomb moved that it be deemed expedient to suspend the constitutional rule requiring the reading of bills on three several days, and that the bill be read a third time now.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Cofroth, Cook, Cox, Croan, Crook, Emerson, Ferris, Glazebrook, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Lane, Lasselle, Lee, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Osborn, Patterson, Perigo, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Jay, Shoaff of Allen, Shuey, Sim, Spencer, Steward, Stenger, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Wright and Mr. Speaker—82.

None voting in the negative.

So it was deemed expedient to suspend the constitutional rule, and engrossed Senate bill, No. 184, was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Cofroth, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Hogate, Hoover, Hunt, James, Lane, Lasselle, Lee, Lemon, Lockhart, Lopp, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Sim, Spencer, Stenger, Stivers, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Wright and Mr. Speaker—78.

Those who voted in the negative were,

Messrs. Glazebrook, Higgins and Stringer—3.

The question being, shall the title, as read, stand as the title of the bill?

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Coffroth moved that the Committee appointed to investigate Mr. Lasselle's connection with disloyal organizations, be discharged. Which was agreed to.

Message from the Governor, by Mr. Chas. P. Jacobs, his Secretary.

MR. SPEAKER :

I am directed by his Excellency, the Governor, to inform your honorable body that he has approved and signed House bill No. 160, entitled "an act to raise revenue for State purposes for the years one thousand, eight hundred and sixty-five, and one thousand, eight hundred and sixty-six," and that the same has been deposited in the office of the Secretary of State.

O. P. MORTON,  
*Governor of Indiana.*

Message from the Governor, by Mr. Charles P. Jacobs, his Secretary.

MR. SPEAKER :

I am directed by his Excellency, the Governor, to inform your honorable body that he has approved and signed House bill No. 8, entitled "an act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others; and also repealing an act to license dogs, approved March 11, 1861; and providing that nothing in this act shall be so construed as to conflict with the provisions of an act entitled 'an act for the protection of sheep, approved June 15, 1852;'" and that the same has been deposited in the office of the Secretary of State.

O. P. MORTON,  
*Governor of Indiana.*

By unanimous consent,

House bill No. 199. A bill to provide the distribution of the interest on the School, Sinking and Trust Funds of this State, held for the support of Common Schools, to repeal all laws in conflict, and declaring an emergency,

Was read a second time.

Mr. Branham moved that it be deemed expedient to suspend the Constitutional rule requiring the reading of bills on three several days, and that the bill be read a third time now.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Branham, Burnes, Buskirk, Coffroth, Cook, Cox, Croan, Crook, Dunham, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Kilgore, Lane, Lee, Lemon, Lopp, Meredith, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Reese, Rhoads, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stenger, Stringer, Stuckey, Sullivan of Scott, Thatcher, Upson, Welch, White, Willis, Woodruff, Woods, Wright and Mr. Speaker—70.

None voting in the negative.

So it was deemed expedient to suspend the Constitutional rule, and the bill was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Branham, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Dunham, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Johnson, Kilgore, Lane, Lee, Lemon, Lockhart, Lopp, Meredith, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Reese, Rhoads, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Jay, Shoaff of Allen, Shuey, Sim, Spencer, Steward, Stenger, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—84.

None voting in the negative.

The question being, shall the title, as read, stand as the title of the bill?

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

By unanimous consent,

House bill No. 187. A bill authorizing and requiring the Commissioners of the State Debt Sinking Fund, to make settlement with the Sinking Fund Commissioners, for the sum of \$422,000 War Loan

Bonds, purchased by Sinking Fund Commissioners with moneys belonging to the Common School Fund; also the sum of \$165,000, moneys belonging to the Common School Fund, advanced by the Sinking Fund to pay interest on the State debt; also the sum of \$33,536 09 Saline Fund, and \$22,947 09 Bank Tax Fund, directing the transfer to the Common School Fund of the State of Indiana, of so much of the two-and-one-half and five per cent. certificates of the stock of the State as will, at the prices paid for the same, amount to the aggregate of the sums mentioned in this act; authorizing and directing the proper officers of State to issue a bond of the State for the amount thereof, bearing six per cent. interest, payable semi-annually on principal, payable and redeemable at the pleasure of the State; directing the Treasurer of State to pass to the credit of the General Fund, the several amounts herein specified; and declaring an emergency for the immediate taking effect of this act.

Was read a second time.

Mr. Dunham moved to amend by striking out of the bill the words "par value," and insert in lieu thereof the words "price paid for."

Which was not agreed to.

Mr. Branham moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read on three several days, so as to read said bill a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Branham, Burnes, Burton, Burwell, Buskirk, Coffroth, Cook, Cox, Croan, Crook, Dunham, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Groves, Hargrove, Harrison, Hershey, Higgins, Hogate, Hoover, Hunt, James, Johnson, Kilgore, Lane, Lasselle, Lee, Lemon, Lockhart, Lopp, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Steward, Stenger, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—82.

Mr. Abbett voting in the negative.

So it was deemed expedient to suspend said rule, and House bill No. 187, read a third time.

The question being, shall the bill pass?



Those who voted in the affirmative were,

Messrs. Abbott, Atkinson, Banta, Bonner, Boyd, Branham, Burnes, Burton, Burwell, Chambers, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Johnson, Kilgore, Lane, Lassel, Lee, Lemon, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Reese, Rhoads, Rice, Richards, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Steward, Stenger, Stivers, Stringer, Sullivan of Scott, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—73.

Those who voted in the negative were,

Messrs. Beckett, Bird, Dunham, Hargrove and Richardson—5.

So the bill passed.

The question being, shall the title, as reported, stand as the title of said bill?

It was so agreed.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Pettit moved to suspend the order of business, and take up House bill No. 156.

Which was agreed to.

House bill No. 156. A bill imposing on Clerks of the several Circuit Courts, the duty of preparing applications for back pay and bounties, balance of bounties, half pay and pensions; creating a State Agent for soldiers' claims, to represent the same, imposing on certain officers the duty of preparing and certifying documentary evidence in connection with such memorials, prescribing the duties of such officers, and imposing penalties for violating the duties.

Was taken up, and read a second time.

Mr. Pettit moved to fill the blank, in said bill, with twenty-five hundred dollars.

Pending which,

On motion by Mr. Brown,

The House adjourned.

H. J.—47.

2 o'clock, P. M.

The House met.

The Speaker ordered a call of the House, when the following members answered to their names :

Messrs. Abbett, Atkinson, Banta, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Buskirk, Church, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Johnson, Lane, Lusselle, Lee, Lemon, Lockhart, Lopp, Major, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Reese, Rhoads, Rice, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Spencer, Steward, Stivers, Stringer, Sullivan of Scott, Thatcher, Trusler, Upson, Welch, White, Whiteside, Willis, Wright and Mr. Speaker—68.

Mr. Griffith, offered the following concurrent resolution :

*Be it resolved by the House (the Senate concurring)* That the Clerks of each Circuit Court of this State, be directed to distribute the Senate and House Journals, Documentary Journals, and Acts of the General Assembly, on hands in his office, giving to each Township Trustee, and each County Commissioner, one copy of each of said Journals and Acts and shall distribute the balance as his discretion may suggest, to citizens of his county, provided that he reserve two copies of each for the use of his office.

Which was agreed to.

Mr. Abbett, by unanimous consent, presented the claim of Tousey & Byram, for \$656 37.

Which was referred to the Committee on Claims without reading.

Mr. Buskirk, by unanimous consent, offered the following resolution :

*Resolved*, That Calvin F. Rooker, be allowed two dollars per day from the first day of July, 1864, to the first day of March, 1865, for his services as acting Ordinance Officer of Indiana, in the preparation of the accounts of military officers for arms, equipments, &c., and that the same be included in the specific appropriation bill.

Which was agreed to.

Mr. Kilgore, offered the following resolution :

WHEREAS, Cyrus T. Nixon, Principal Clerk, and Capt. T. W. O. Braffett, Assistant Clerk, of this House, having confined their appointments of assistants, to the least possible number, and for their prompt and courteous manner in which they have respectively discharged their duties, therefore be it

*Resolved*, That they, and each of their assistants, be allowed out of the sum already appropriated for Legislative purposes, two dollars per day for sixty-one days' service, in addition to that already allowed them.

Which was adopted.

Mr. Newcomb, offered the following resolution :

*Resolved*, That the following officers and employes of the House be allowed one dollar per day, in addition to the regular pay from commencement of the session, viz :

J. H. Dooley, Doorkeeper.

G. W. Busby, Assistant Doorkeeper.

A. W. Stenger, " "

W. W. Browning, " "

Jos. Russell, Fireman.

Robert Morrow, " "

Peter Wilkins, " "

George Phillips, " "

The question being on the adoption of the resolution offered by Mr. Newcomb.

Messrs. Branham and ——— demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bonner, Boyd, Burnes, Church, Coffroth, Gregg, Gregory of Warren, Griffith, Harrison, Hogate, James, Kilgore Lasselle, Lee, Miller of Clinton, Miller of Tippecanoe, Milroy, McVey, Newcomb, Patterson, Perigo, Shoaff of Allen, Sim, Spencer, Stenger, Thatcher, Whiteside and Mr. Speaker—28.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Branham, Brown, Burwell, Chambers, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Groves, Hargrove Henricks, Higgins, Hoover, Hunt, Johnson, Lane, Lemon, Lockhart, Lopp, Major, Meredith, Montgomery, Oileman, Osborn, Reese, Rhoads, Rice,

Richards, Richardson, Riford, Sabin, Shuey, Steward, Stivers, Stringer, Upson, Veach, Welch, White, Willis and Woods—51.

So the resolution was not adopted.

Mr. Branham, moved to reconsider the vote by which the resolution of Mr. Kilgore was adopted.

Mr. Brown, moved to lay the motion of Mr. Branham on the table.

The ayes and noes being demanded by Messrs. Brown and Johnson.

Those who voted in the affirmative were,

Messrs. Beckett, Bird, Bonner, Boyd, Brown, Burnes, Buskirk, Chambers, Church, Coffroth, Cook, Dunham, Emerson, Ferris, Gregory, of Warren, Griffith, Harrison, Hogate, Kilgore, Lasselle, Meredith, Miller of Clinton, Milroy, McVey, Patterson, Perigo, Rice, Sabin, Shoaff of Allen, Shoaff of Jay, Sim, Stenger, Thatcher, Trusler, Welch, Whiteside and Mr. Speaker—37.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Banta, Branham, Burton, Burwell, Cox, Croan, Crook, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Groves, Hargrove, Henricks, Hershey, Higgins, Hoover, Hunt, Johnson, Lane, Lee, Lemon, Lockhart, Lopp, Major, Newcomb, O'Brien, Olleman, Osborn, Reese, Rhoads, Richards, Richardson, Riford, Shuey, Spencer, Steward, Stivers, Stringer, Upson, Veach, White, Willis, Woods and Wright—48.

So the motion to lay on the table did not prevail.

The question recurring on the motion of Mr. Branham, to reconsider the vote by which the House adopted the resolution of Mr. Kilgore.

Messrs. Branham and Johnson demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Branham, Burton, Burwell, Cox, Croan, Crook, Foulke, Goodman, Glazebrook, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Hershey, Higgins, Hoover, Hunt, Johnson, Lane, Lasselle, Lee, Lemon, Lockhart, Lopp, Major, Newcomb, O'Brien, Olleman, Osborn, Reese, Rhoads, Richards, Richardson, Riford, Shoaff of Allen, Shoaff of Jay, Shuey, Spencer, Steward, Stringer, Stuckey, Thatcher, Upson, Veach, White, Willis, Woods, Wright and Mr. Speaker—55.

Those who voted in the negative were,

Messrs. Bonner, Boyd, Brown, Burnes, Buskirk, Chambers, Church, Coffroth, Cook, Emerson, Ferris, Gregg, Gregory of Montgomery, Hogate, James, Kilgore, Meredith, Milroy, McVey, Patterson, Perigo, Rice, Sabin, Sim, Stenger, Welch and Whiteside—37.

So the motion to reconsider, was agreed to.

Mr. Kilgore moved to amend the resolution by striking out \$2 00 and inserting \$1 00.

Mr. Burwell moved to lay the resolution and amendment on the table.

The ayes and noes being demanded by Messrs. Lockhart and Banta,

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Branham, Burwell, Cox, Croan, Crook, Foulke, Goodman, Glazebrook, Groves, Henricks, Hershey, Higgins, Hunt, Johnson, Lane, Lemon, Lockhart, Lopp, Major, O'Brien, Olleman, Osborn, Reese, Richards, Richardson, Riford, Sabin, Shoaff of Jay, Shuey, Steward, Stringer, Stuckey, Upson, White, Willis, Woods, and Wright—43.

Those who voted in the negative were,

Messrs. Bonner, Boyd, Brown, Burnes, Burton, Buskirk, Chambers, Church, Coffroth, Cook, Dunham, Emerson, Ferris, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Hargrove, Harrison, Hogate, Hoover, James, Kilgore, Lasselle, Lee, Meredith, Miller of Clinton, Milroy, Montgomery, Newcomb, Patterson, Perigo, Rhoads, Rice, Shoaff of Allen, Sim, Spencer, Stenger, Stivers, Sullivan of Scott, Thatcher, Trussler, Veach, Welch, and Whiteside—45.

So the motion to lay on the table did not prevail.

The question recurring on the adoption of the amendment of Mr. Kilgore,

Mr. Brown moved to amend the amendment of Mr. Kilgore, so as to include the Doorkeeper and his Assistants.

Mr. Brown moved the previous question.  
Which was seconded.

The question being, shall the main question be now put?  
It was agreed to.

The question being on the adoption of the amendment to the amendment offered by Mr. Brown,

The same was not agreed to.

The question recurring on the adoption of the amendment offered by Mr. Kilgore,

Messrs. Burwell and Banta demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Boyd, Brown, Burns, Burton, Buskirk, Chambers, Church, Coffroth, Cook, Crook, Dunham, Emerson, Ferris, Glazebrook, Gregory of Warren, Griffith, Hamrick, Hargrove, Harrison, Henricks, Higgins, Hogate, Hoover, Hunt, James, Kilgore, Lee, Meredith, Miller of Clinton, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Patterson, Perigo, Reese, Rice, Shoaff of Allen, Shuey, Sim, Stewart, Stringer, Sullivan of Scott, Thatcher, Trussler, Upson, Veach, Welch, Whiteside, Willis, Woods, and Mr. Speaker—55.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Banta, Bird, Bonner, Branham, Burwell, Cox, Croan, Foulke, Goodman, Gregg, Groves, Johnson, Lane, Lemon, Lockhart, Lopp, Major, Miller of Tippecanoe, Osborn, Richards, Richardson, Riford, Shoaff of Jay, Spencer, Stenger, Stivers, Stuckey, White, and Wright—31.

So the amendment was adopted.

The question recurring on the adoption of the resolution as amended,

Messrs. Stringer and Glazebrook demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beckett, Bird, Boyd, Brown, Burns, Burton, Buskirk, Chambers, Church, Coffroth, Cook, Emerson, Ferris, Glazebrook, Gregg, Gregory of Warren, Griffith, Hamrick, Harrison, Hogate, James, Kilgore, Lee, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Patterson, Perigo, Rhoads, Rice, Shoaff of Allen, Shuey, Sim, Spencer, Stewart, Stenger, Sullivan of Scott, Thatcher, Upson, Veach, Whiteside, and Mr. Speaker—47.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Banta, Bonner, Branham, Burwell, Cox,

Croan, Crook, Foulke, Goodman, Groves, Hargrove, Henricks, Higgins, Hoover, Hunt, Johnson, Lane, Lemon, Lockhart, Lopp, Major, O'Brien, Olleman, Osborn, Reese, Richards, Riford, Sabin, Shoaff of Jay, Stivers, Stringer, Stuckey, White, Willis, Woods, and Wright—37.

So the resolution, as amended, was adopted.

Mr. Whiteside moved to reconsider the vote just taken, by which Mr. Kilgore's resolution passed, and to lay that motion on the table. Which was agreed to.

Special Committee on House bill No. 30: Messrs. Henricks, Boyd, Shoaff of Allen, Miller of Tippecanoe, and Sabin.

By unanimous consent,

Senate Joint Resolution No. 11, "a Joint Resolution, requesting the Governor to appoint a suitable person to correct the Swamp Land books of the State of Indiana, in the office of the Auditor of State,"

Was taken up and read a second time.

Mr. Woods offered the following amendment:

Amend by inserting the following: "That in all suits prosecuted on behalf of the State by the Attorney General, he shall be allowed five per cent. commission for all moneys recovered by him."

Mr. Brown moved to lay the amendment on the table.

There was not a quorum voting, and

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Boyd, Brown, Burton, Burwell, Buskirk, Coffroth, Cook, Croan, Crook, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Johnson, Kilgore, Lane, Lee, Lemon, Lockhart, Lopp, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stringer, Stuckey, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woods and Wright—78.

The further call was dispensed with.

The question being on the motion to lay the amendment on the table.

It was not agreed to.

The question then being on agreeing to the amendment offered by Mr. Woods,

It was not agreed to.

So Senate Joint Resolution, No. 11, was passed to a third reading on to morrow.

#### ORDERS OF THE DAY.

House bill No. 156 was taken up.

The previous question had previously been ordered.

The question being on agreeing to the amendment offered by Mr. Pettit, to fill the blank by inserting "twenty-five hundred dollars."

Which was agreed to.

The bill was ordered to be engrossed, and passed to a third reading.

By unanimous consent,

House bill No. 12. A bill to amend the first section of an act entitled "an act for the better protection of religious meetings, agricultural fairs, and other lawful assemblies of the people," approved March 3d, 1859.

Was taken up.

The amendments heretofore reported were read, and the question being on concurring in the same,

They were not agreed to.

House bill No. 12 was then read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Beckett, Bird, Boyd, Branham, Burnes, Burton, Burwell, Buskirk, Church, Coffroth, Cox, Croan, Crook, Dunham, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Higgins, Hogate, Hoover, Hunt, James, Johnson, Kilgore, Lane, Lee, Lemon, Major, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Reese, Rhoads, Richards, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Steward, Stringer,



Stuckey, Thatcher, Upson, Veach, Welch, White, Whiteside, Willis, Woods, Wright and Mr. Speaker—72.

None voting in the negative.

So the bill passed.

The question being, shall the title, as reported, stand as the title of said bill?

It was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

By unanimous consent,

House bill No. 70, "a bill for the relief of Ann Vizard,"

Was taken up and read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbott, Bird, Burwell, Buskirk, Church, Coffroth, Ferris, Goodman, Glazebrook, Griffith, Harrison, Hunt, Kilgore, Lee, Lemon, Miller of Tippecanoe, Milroy, Montgomery, O'Brien, Olleman, Osborn, Patterson, Perigo, Richards, Shoaff of Allen, Shoaff of Jay, Stenger, Stringer, Stuckey, Sullivan of Scott, Thatcher, White, Whiteside, and Wright—34.

Those who voted in the negative were,

Messrs. Atkinson, Banta, Beckett, Boyd, Burnes, Burton, Cook, Cox, Croan, Crook, Dunham, Emerson, Foulke, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Hargrove, Henricks, Hershey, Hogate, Hoover, James, Johnson, Lane, Lockhart, Major, Meredith, McVey, Newcomb, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Spencer, Steward, Stivers, Trusler, Upson, Veach, Welch, Willis, Woods and Mr. Speaker—47.

So the bill failed to pass.

Message from the Senate by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to return to the House enrolled act No. 20 thereof, which has been signed by the President of the Senate.

I am further directed to inform the House that the Senate has concurred in the last amendment of the House to Senate bill No. 30,

entitled "an act to authorize, regulate and confirm the sale of railroads, to enable purchases of the same to form corporations, and to exercise corporate powers, and to define their rights, powers and privileges; to enable such corporations to purchase and construct connecting and branch roads, and to operate and maintain the same." And the said act having been enrolled, it is herewith presented for the signature of the Speaker.

I am still further directed to inform the House that the Senate has concurred in the amendment of the House to Senate bill No. 3, entitled "an act to legalize the issuing of bonds, and making appropriations, and the levy and assessment for taxes in certain cases; and making it unlawful, after the quota of the State on the present call is filled, for Boards of County Commissioners, or municipal authorities of incorporated towns and cities, to pay any money out of their treasuries, or to issue any bonds, orders or evidences of indebtedness, to give bounties to volunteers, drafted men or substitutes."

Which act, being now enrolled, is also presented to the House for the signature of the Speaker.

I am also directed to present to the House, for the signature of the Speaker, enrolled act, No. 184, of the Senate, entitled "an act to amend section five of an act entitled 'an act regulating the fees of officers, and repealing former acts in relation thereto,'" approved March 2d, 1855.

Mr. Dunham moved that Senate bill No. 15 be made the special order for 7½ o'clock, this P. M.

Which was agreed to.

Mr. Dunham moved that when the House adjourn, it be till 7¼ o'clock, this P. M.

Which was agreed to.

Mr. Olleman moved to reconsider the vote by which the House suspended the order of business.

Mr. Brown moved to lay the motion on the table.

Which was agreed to.

House bill No. 64, "a bill entitled an act to amend the 406th section of an act entitled 'an act to revise, simplify and abridge the rules, practices, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity,'" approved June 18th, 1852,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Beckett, Boyd, Brown, Burnes, Burton, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Dunham, Ferris, Foulke, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Harrison, Henricks, Hershey, Hoover, Hunt, Johnson, Lane, Lee, Lemon, Lopp, Meredith, Miller of Tippecanoe, Milroy, Montgomery, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Reese, Rhoads, Rice, Richards, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Spencer, Steward, Stenger, Stivers, Stringer, Sullivan of Scott, Thatcher, Upson, Veach, Welch, Whiteside, Willis, Woods, Wright and Mr. Speaker—68.

Those who voted in the negative were,

Messrs. Bird, Burwell, Griffith, Hargrove, Hogate, and Riford—6.

The question being, shall the title, as read, stand as the title of the bill?

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

The Speaker announced that he had signed Engrossed Senate bills, Nos. 3 and 184.

Mr. Spencer moved that the House do now adjourn.  
Which was not agreed to.

Mr. Rhoads, from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills respectfully report that they have carefully compared enrolled act No. 20, (House of Representatives) with the engrossed copy thereof, have found the same correctly and properly enrolled, and presented the same to his Excellency, the Governor, for his signature and approval, March 2nd, 1865, at 5½ o'clock P. M.

Engrossed House bill No. 67. A bill to entitle Attorneys to hold liens on judgments.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbott, Atkinson, Banta, Beckett, Bird, Boyd, Branham, Burton, Burwell, Buskirk, Chambers, Church, Cook, Cox, Croan, Dunham, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Hargrove, Harrison, Henricks, Hunt, James, Johnson, Lasselle, Lee, Meredith, Miller of Tippecanoe, Montgomery, Newcomb, O'Brien, Perigo, Rhoads, Rice, Richards, Riford, Sabin, Shoaff of Jay, Shuey, Spencer, Steward, Stenger, Stringer, Stuckey, Sullivan of Scott, Thatcher, Upson, Veach, Welch, Whiteside, Willis, Wright, Zeigler and Mr. Speaker—47.

Those who voted in the negative were,

Messrs. Burnes, Glazebrook, Lane, Lemon, Milroy, McVey, Olleman, Osborn, Patterson, Reese, Shoaff of Allen and Woods—12.

The question being, shall the title, as read, stand as the title of the bill?

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

The Speaker announced that he had signed Enrolled Senate bill No. 30.

House bill No. 68. A bill authorizing Boards of County Commissioners in this State to make donations and receive subscriptions for the purpose of erecting a monument to the memory of those from their several counties who have lost their lives in the present war for the restoration of the Union.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Beckett, Bird, Boyd, Branham, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Cook, Cox, Crook, Croan, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, James, Johnson, Lane, Lasselle, Lee, Lemon, Lockhart, Lopp, Meredith, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Reese, Rhoads, Rice, Richards, Riford, Roach, Sabin,

Shoaff of Jay, Shoaff of Allen, Shuey, Sim, Spencer, Steward, Stenger, Stringer, Stuckey, Sullivan of Scott, Thatcher, Upson, Welch, Whiteside, Willis, Woods, Wright, Zeigler and Mr. Speaker—75.

None voting in the negative.

The question being, shall the title, as read, stand as the title of the bill?

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

House bill No. 75. A bill to empower railroads to construct branches to neighboring coal mines.

Was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Beckett, Bird, Boyd, Burnes, Burton, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, James, Johnson, Lane, Lasselle, Lee, Lemon, Lockhart, Lopp, Meredith, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Reese, Rhoads, Rice, Richards, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Steward, Stenger, Stringer, Stuckey, Sullivan of Scott, Thatcher, Upson, Welch, Whiteside, Willis, Woods, Wright, Zeigler and Mr. Speaker—71.

None voting in the negative.

The question being, shall the title, as read, stand as the title of the bill?

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

House bill No. 79. A bill to amend an act entitled an act providing for the election or appointment of Supervisors of Highways and prescribing certain of their duties and those of County and township officers in relation thereto, approved March 5th, 1859, and for

the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith.

Was read a third time.

Mr. Stringer, moved to amend, by striking out all of said bill that refers to a specific land tax.

Which was agreed to.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Beckett, Boyd, Branham, Burnes, Burton, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Warren, Griffith, Groves, Harrison, Hershey, Higgins, Hogate, Johnson, Kilgore, Lockhart, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Reese, Rhoads, Rice, Riford, Sabin, Shoaff of Jay, Shuey, Sim, Spencer, Steward, Stenger, Stringer, Stuckey, Thatcher, Upson, Welch, Whiteside, Willis, Wright, Zeigler and Mr. Speaker—61.

Those who voted in the negative were,

Messrs. Bird, Croan, Hargrove, James, Lemon, Richards and Shoaff of Allen—7.

So the bill passed.

The question being, shall the title, as read, stand as the title of the bill?

It was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

On motion by Mr. Whiteside,

The House adjourned.

7 $\frac{1}{4}$  O'CLOCK, P. M.

The House met.

Mr. James, by unanimous consent, introduced House bill No. 202.

A bill to fix the time of holding the Common Pleas Courts in Grant county, and to repeal all laws inconsistent therewith.

Which was read a first time.

Mr. James, moved that it be deemed expedient to suspend the Constitutional rule requiring bills to be read on three several days, so that said bill may be read a second and third time now.

The ayes and noes were taken under the constitution.

Those who voted in the affirmative were,

Messrs. Abbett, Banta, Bonner, Branham, Brown, Burnes, Buskirk, Church, Coffroth, Cook, Cox, Crook, Dunham, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hunt, James, Johnson, Kilgore, Lane, Lee, Lemon, Lockhart, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Osborn, Patterson, Perigo, Reese, Rice, Richards, Richardson, Riford, Sabin, Sim, Spencer, Stivers, Stringer, Sullivan of Scott, Thatcher, Upson, Veach, Welch, White, Whiteside, Willis, Woods, Wright, Zeigler and Mr. Speaker—  
55.

None voting in the negative.

So it was deemed expedient to suspend said Constitutional rule, and House bill No. 202, was read a second time by its title.

The bill was considered as engrossed, and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Banta, Bonner, Boyd, Branham, Brown, Burnes, Buskirk, Church, Coffroth, Cook, Cox, Crook, Dunham, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Johnson, Kilgore, Lane, Lee, Lemon, Lockhart, Lopp, Meredith, Miller of Clinton, Milroy, Mont-

gomery, McVey, Osborn, Patterson, Perigo, Reese, Rice, Richards, Richardson, Riford, Sabin, Sim, Spencer, Stenger, Stivers, Stringer, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woods, Wright, Zeigler and Mr. Speaker—79.

None voting in the negative.

The question being, shall the title, as read, stand as the title to said bill.

It was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

By unanimous consent,

House bill No. 107. A bill to authorize Railroad Companies to alter and determine the number of their Directors, to authorize Boards of Directors to fill vacancies occurring in their Boards, to provide for the meeting of the Stockholders, Officers and Directors of consolidated companies in and without this State, to authorize consolidated Railroad Companies to consolidate again, to increase the capital stock of consolidated Railroad Companies, to authorize them to borrow money and secure the payment thereof, and to explain and declare the powers of consolidated Railroad Companies formed by the consolidation of two or more Railroad Companies under the laws of this State.

Was taken up.

Mr. Lockhart offered the following amendment:

Amend section second by striking out the words "or interest," in the fifth line.

Which, on motion, was adopted.

Mr. Dunham moved to amend by inserting in section one, line 12, at the end of the same, the words "until the next annual election by the stockholders of said company." And also in section four, line 3, strike out the word "inperpetuity."

Which, on motion, was adopted.

Mr. Brown moved to consider the bill as engrossed, and that it be read a third time now.

Mr. Stringer moved the previous question.

Which was seconded.

The question being, shall the main question be now put?

It was agreed to.



The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Boyd, Brown, Burwell, Church, Cook, Dunham, Ferris, Harrison, Lee, Meredith, Miller of Clinton, Montgomery, Newcomb, Rice, Riford, Stenger, Stuckey, Trusler, Upson, Whiteside, Willis, and Wright—22.

Those who voted in the negative were,

Messrs. Abbott, Banta, Bonner, Branham, Burnes, Burton, Buskirk, Chambers, Coffroth, Cook, Cox, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Johnson, Kilgore, Lane, Lasselle, Lemon, Lockhart, Lopp, Miller of Tippecanoe, Milroy, McVey, Osborn, Patterson, Perigo, Reese, Richards, Richardson, Sabin, Sim, Spencer, Steward, Stivers, Stringer, Sullivan of Scott, Thatcher, Veach, Welch, White, Woods, Zeigler and Mr. Speaker—59.

So the bill failed to pass.

#### SPECIAL ORDER FOR THE DAY.

Senate bill No. 15, "a bill appointing a Commissioner to adjust the claims of citizens of Indiana for damages sustained by reason of the raid of the rebel forces under the command of John Morgan, in July, 1863, and under Adam Johnson, in the summer of 1864, prescribing some of their duties and powers, and providing for the payment of the claims adjusted by said Commissioner, and matters properly connected therewith,"

Was taken up.

Mr. Dunham moved that it be deemed expedient to suspend the Constitutional rule requiring bills to be read on three several days, so that said bill may be read a second time now by its title.

The ayes and noes were taken under the constitution.

Those who voted in the affirmative were,

Messrs. Abbott, Banta, Boyd, Burton, Burwell, Buskirk, Church, Cook, Cox, Crook, Dunham, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Hogate, Hunt, James, Johnson, Kilgore, Lasselle, Lee, Lemon, Lockhart, Lopp, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, McVey, Newcomb, Osborn, Perigo, Reese, Rice, Richards, Richardson, Riford, Sabin, Spencer, H. J.—48

Steward, Stenger, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, White, Whiteside, Willis, Woods, Wright, Zeigler, and Mr. Speaker—66.

Those who voted in the negative were,

Messrs. Bonner, Burnes, Chambers, Higgins, Hoover, Lane, and Montgomery—7.

So it was deemed expedient to suspend said Constitutional rule, and Senate bill No. 15 was read a second time by its title.

The amendments heretofore reported by the Select Committee, to whom said bill was referred, were severally read and adopted.

Mr. Coffroth moved to postpone the consideration of said bill, and make it the special order for the day, on to-morrow morning at 10 o'clock.

Which was not agreed to.

Mr. Thatcher moved to strike out "six dollars," as the compensation of the Commissioners, and insert "five dollars."

Which was not agreed to.

Mr. Brown moved to make the bill the special order for the day for to morrow, at 9½ o'clock, A. M.

Which was agreed to.

Mr. Thatcher moved that when the House adjourn, it meet again at eight o'clock to-morrow morning.

Which was agreed to.

House bill No. 197 was taken up and read a second time, and ordered to be engrossed. Said bill was postponed till to-morrow.

House bill No. 78, "a bill to provide for the sale of certain lands belonging to the State of Indiana, in the counties of Jasper and Newton, and to give pre-emption to actual settlers,"

Was taken up, and the amendments heretofore reported, were read and adopted.

Mr. Miller, of Tippecanoe, offered the following amendments:

Amend section one by inserting after the words "1860," "and of Aquilla Jones, December 31, 1860."

Amend by inserting the following section:

"Section —. The Treasurers of Jasper and Newton counties, respectively, before entering upon the duties required of them by this

ct, shall file a bond with the Auditor of State, to be approved by him in such an amount as he may require, for the faithful discharge of their duties, payable to the State of Indiana."

Which, on motion, was adopted.

The bill, as amended, was then read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Banta, Bonner, Branham, Burnes, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Emerson, Foulke, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Hershey, Hogate, Howard, Hunt, James, Johnson, Kilgore, Lane, Lee, Lemon, Lockhart, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Ollenan, Osborn, Perigo, Reese, Rhoads, Rice, Richards, Richardson, Riford, Sabin, Shuey, Sim, Spencer, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, White-side, Willis, Woods, Wright, Zeigler, and Mr. Speaker—59.

Mr. Burton voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill.

It was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

House bill No. 173. A bill to enable the Boards of incorporated towns to authorize the use of portions of streets for shade and ornamental purposes.

Was read a first time, and passed to a second reading.

Engrossed Senate bill No. 135. A bill to amend the 71st section of an act entitled "an act granting to the citizens of Evansville, in the county of Vanderburg, a city charter," approved January 27th, 1849, and to add supplemental sections to said acts.

Was read a first time, and passed to a second reading.

House bill No. 167 was taken up and read a second time.

Said bill was ordered to be engrossed, and passed to a third reading.

Senate bill No. 181. A bill to amend section one of an act enti-

tled "an act to incorporate the Trustees of the Indiana Female College," approved February 13th, 1851.

Was read a first time, and passed to a second reading.

Mr. Sullivan, of Scott, moved that the House adjourn.  
Which was not agreed to.

Senate bill No. 20. A bill to amend sections one and two of an act entitled "an act to fix the per diem and mileage of members of the General Assembly, Secretary, Clerks and Doorkeepers," approved June 4th, 1852.

Was read a first time, and passed to a second reading.

Engrossed Senate bill No. 92. A bill authorizing Street or Horse Car Railway Companies to use State, county, or township roads, or other public highways, for their railway tract, under conditions and regulations.

Was read a first time, and passed to a second reading.

Engrossed Senate bill No. 65. A bill to amend section 13 of an act, approved May 12th, 1852, entitled "an act authorizing the construction of plank, Macadamized and gravel roads."

Was read a second time, and passed to a third reading.

Engrossed Senate bill No. 56. A bill to amend the 20th and 21st sections of an act entitled "an act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," and to make additional provisions on the same subject.

Was read a first time, and passed to a second reading.

Engrossed Senate bill No. 177. A bill for the relief of persons who have paid certain claims to the State, or to the proper officers, under color of judicial proceedings, and to subrogate such persons to the rights of the State.

Was read a first time, and passed to a second reading.

House bill No. 114 was read a second time and passed to a third reading.

Engrossed Senate Joint Resolutions, Nos. 2 and 3, were read a second time, and passed to a third reading.

Engrossed Senate bill No. 63 was read a second time, and passed to a third reading.

Engrossed Senate bill No. 133, "a bill fixing the time of holding the courts in the Third Judicial Circuit,"

Was read a first time, and passed to a second reading.

Senate bill No. 99. A bill requiring Clerks of the Circuits and Courts of Common Pleas to make indexes to the Record Books of their respective offices.

Was read a first time, and passed to a second reading.

Senate bill No. 100, "a bill fixing the compensation of Township Assessors,"

Was read a second time, and passed to a third reading.

Senate bill No. 101 was read a second time, and passed to a third reading.

On motion by Mr. Chambers,  
The House adjourned.

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FRIDAY MORNING, 8½ o'clock, }  
March 3d, 1865. }

The House met pursuant to adjournment.

On motion by Mr. Brown,

The reading of the journal was dispensed with.

Mr. Boyd, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of Edwin May, for the sum of \$5,000 00 for services as Architect at State Prison North, would beg leave to report the same back to the House at the request of the party, without action, for the reason that the Committee has not had sufficient time to fully investigate the claim, it being a large one and having recently come into the hands of the Committee.

Which was laid on the table.

Mr. Boyd, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred the following named claims for the several amounts and purposes hereinafter named have had the same under consideration and would beg leave to report the same back to the House, with the recommendation that they be allowed and incorporated in the specific appropriation bill for payment.

The claims are as follows, to-wit :

Brown & Whitehouse, for the sum of \$60 50, for making document case, &c., for use in stationery room, in 1863.

Thomas Gifford, for the sum of \$63 90, for services on Committee to investigate affairs of the State.

Bingham, Doughty & Co., for the sum of \$16 00 for copies of Indiana State Sentinel furnished for the army, per order of the Governor.

Which was referred to the Committee of Ways and Means with instruction to incorporate the several sums in the specific appropriation bill.

Mr. Cook, from the Committee on Rights and Privileges of the Inhabitants of the State, made the following majority report :

MR. SPEAKER :

A majority of the Committee on Rights and Privileges, to whom was referred the memorial of the Friends Yearly Meeting, held at the town of Plainfield, Indiana, on the 22d of the 9th month, 1864, have had the same under consideration and recommend that said memorial do lie upon the table.

Which was laid upon the table.

Mr. Burnes, from the same Committee, made the following minority report :

MR. SPEAKER :

A minority of your Committee to whom was referred the memorial of the Friends Yearly Meeting, held at Plainfield, Hendricks, county, Indiana, on the 19th to the 22d of the 9th month, 1864, entreating

this body to take suitable measures to repeal all Constitutional and Statute laws which divest negroes and mulattoes of their natural rights, and which impair their evidence in courts of justice, and embarrass their efforts in the cause of education, have had the same under consideration and respectfully submit the following:

That whereas, the Constitution of the United States, guarantees that the citizens of each State shall be entitled to all the privileges and immunities of the citizens in the several States, and the Declaration of Rights, both of the United States and this State, assert that all men are endowed by their Creator with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness, and the blood and services of men of all complexions have been blended on the common altar of our country, in support of our civil and religious institutions, and the peace, happiness, and prosperity of our nation.

Therefore we recommend to the General Assembly of the State of Indiana, that justice, humanity, and respect to the civil and religious rights of all men, demand the passage of a joint resolution, striking from the Constitution of our State, the 13th article thereof, and that all laws rendering Indians and negroes incompetent witnesses in courts of justice, ought, in accordance with the spirit of the present age, to be repealed during the present session of this General Assembly, and that the act entitled an act to enforce the 13th article of the Constitution, approved June the 18th, 1852, ought to be repealed.

And inasmuch as the Constitution of Indiana, declares that knowledge and learning generally diffused through a community are essential to the preservation of free government, requires that we shall provide by law, for a uniform system of Common schools wherein tuition shall be without charge and equally open to all, and since it is evident that the peace, happiness, and prosperity of a State, must depend upon the proper culture and development of the minds of its citizens of every class, we would recommend that amendments be made to the act approved March the 11th, 1851, entitled an act to provide for a general system of Common schools, and the officers thereof and their respective powers and duties, and matters properly connected therewith, &c., &c., so that all of section first, after the words "by law," be repealed, and that taxes be assessed without regard to color, and that colored children be allowed their proportion of the school revenue, to defray the expenses of their education in such way as may seem to them best, when objections are raised to their admission into the Common schools in districts in which they reside, and in schools established for the education of colored children.

And we believe that your concurrence in the views expressed in the foregoing report will redound to the honor and glory of our noble State, as an integral part of our glorious Union, which ought, literally to be, the land of the free, as it is the home of the brave.

Which was laid on the table.

Mr. Kilgore, from the Committee on elections, made the following report :

MR. SPEAKER :

The Committee on Elections, have had under consideration the propriety of allowing to the parties in the Putnam county contested election case in which Messrs Lane and Hamrick contested the claims of Messrs. Puett and Collover to seats in this House, a sum sufficient to cover Attorney's fees and expenses attending said contest, and a majority of said Committee have ordered me to offer the following resolutions and recommend their adoption :

*Resolved*, That A. D. Hamrick, and Higgins Lane, be allowed each the sum of fifty dollars, Attorney's fees in said contest.

*Resolved*, That Austin M. Puett and Samuel Collover, be allowed each the sum of fifty dollars, Attorney's fees in said contest.

*Resolved*, That there be allowed to all of said parties jointly the sum of one hundred and sixty-three dollars and fifteen cents amount of costs arising from said contest which has been duly certified to be correct by the proper officers.

The question being on agreeing to the resolution.

Messrs. Olleman and Griffith, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bonner, Branham, Brown, Burnes, Buskirk, Coffroth, Cook, Crook, Foulke, Gregory of Montgomery, Gregory of Warren, Harrison, Higgins, Howard, Kilgore, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Richardson, Riford, Shoaff of Allen, Sim, Stivers, Stringer, Thatcher, Upson and Whiteside—27.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Boyd, Burwell, Chambers, Church, Cox, Croan, Emerson, Ferris, Goodman, Glazebrook, Gregg, Griffith, Groves, Hargrove, Henricks, Hershey, Hogue, Hunt, James, Johnson, Lemon, Lockhart, Lopp, Meredith, Miller of Clinton, O'Brien, Olleman, Osborn, Patterson, Perigo, Reese, Rhoads, Rice, Richards, Sabin, Shuey, Stewart, Stenger, Stuckey, Veach, Welch, White, Willis, Wright, Zeigler and Mr. Speaker—51.

Which was not agreed to.



Mr. Miller, of Clinton, moved to reconsider the vote whereby the House refused to agree to said resolution.

Mr. Olleman moved to lay the motion to reconsider on the table. Which was not agreed to.

The question being on the motion to reconsider,

Mr. Dunham moved the previous question. Which was seconded by the House.

The question being, shall the main question be now put? It was so ordered.

The question being on the motion to reconsider the vote refusing to adopt said resolution,

Messrs. Olleman and Banta demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Brown, Burnes, Buskirk, Coffroth, Crook, Dunham, Ferris, Goodman, Gregg, Gregory of Warren, Harrison, Hoover, Howard, Kilgore, Miller of Tippecanoe, Osborn, Richardson, Riford, Shoaff of Allen, Shuey, Sim, Stringer, Stuckey, Trusler, Upson, White, Whiteside and Woods—29.

Those who voted in the negative were,

Messrs. Abbott, Atkinson, Banta, Beckett, Bonner, Boyd, Branham, Burton, Burwell, Chambers, Church, Cook, Cox, Croan, Emerson, Foulke, Glazebrook, Gregory of Montgomery, Groves, Hargrove, Hershey, Hogate, Hunt, James, Johnson, Lee, Lemon, Lockhart, Lopp, Meredith, Montgomery, McVey, O'Brien, Olleman, Paterson, Perigo, Reese, Rice, Richards, Sabin, Stenger, Thatcher, Veach, Welch, Willis, Zeigler and Mr. Speaker—47.

So the motion to reconsider did not prevail.

The Speaker announced that he had signed House bill No. 14.

Mr. Kilgore, from the Committee on Elections, made the following report:

MR. SPEAKER :

The Committee on Elections have had under consideration the propriety of allowing to Thomas M. Hamilton and Cornelius J. Miller, the parties to the Clinton county contested election case, wherein

the said Hamilton claimed the seat held by said Miller as a member of this House, their expenses in said contest, and a majority of said Committee have instructed me to offer the following resolution, and recommend its adoption :

*Resolved*, That Thomas M. Hamilton and Cornelius J. Miller, be allowed each the sum of one hundred dollars for costs and expenses incurred by them in the recent contest between them for a seat in this House.

Mr. Kilgore moved the previous question.  
Which was seconded by the House.

The question being shall the main question be now put ?  
It was so ordered.

The question being on agreeing to the resolution recommended by the Committee on Elections,

Messrs. Olleman and Groves demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Bonner, Brown, Burnes, Buskirk, Church, Coffroth, Crook, Dunham, Ferris, Goodman, Hamrick, Harrison, Howard, Lane, Osborn, Rice, Richardson, Shoaff of Allen, Sim, Stenger, Stringer, Sullivan of Scott, Thatcher and Wright—25.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Boyd, Branham, Burton, Burwell, Chambers, Cook, Cox, Croan, Foulke, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Hershey, Hogate, Hoover, Hunt, James, Johnson, Kilgore, Lasselle, Lemon, Lockhart, Lopp, Meredith, Miller of Tippecanoe, O'Brien, Olleman, Patterson, Perigo, Reese, Rhoads, Richards, Rifford, Sabin, Shuey, Stewart, Trusler, Upson, Veach, Welch, White, Willis and Mr. Speaker—49

So the resolution was not agreed to.

Mr. Shuey moved to reconsider the vote on adopting the resolution to pay Calvin S. Rooker \$2 per day additional pay, as acting Ordnance Officer.

Mr. Brown demanded the previous question.  
Which was seconded by the House.

The question being, shall the main question be now put ?  
It was so ordered.

The question being on the motion to reconsider said resolution,

Messrs. Branham and Banta demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbott, Atkinson, Banta, Beckett, Boyd, Branham, Brown, Church, Cook, Cox, Ferris, Foulke, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hoover, Johnson, Lane, Lasselle, Lockhart, Meredith, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Reese, Rice, Richardson, Riford, Sabin, Shuey, Sim, Steward, Stringer, Sullivan of Scott, Thatcher, Upson, Welch, White, Willis, Woods, Wright and Mr. Speaker—54.

Those who voted in the negative were,

Messrs. Bird, Bonner, Burnes, Burton, Burwell, Buskirk, Chambers, Croan, Crook, Dunham, Griffith, Hamrick, Hogate, Howard, Kilgore, Lee, Lemon, Lopp, Miller of Tippecanoe, Milroy, Richards, Stenger, Stuckey, Trusler, Veach and Whiteside—26.

So the motion to reconsider did prevail.

Mr. Buskirk moved that the resolution be laid on the table.  
Which was agreed to.

Message from the Governor, by Mr. B. R. Sulgrove, his Secretary.

MR. SPEAKER :

I am directed by His Excellency, the Governor, to inform your honorable body that he has approved and signed House bill No. 20, entitled "an act for the encouragement of agriculture, and authorizing the Indiana State Board of Agriculture to purchase, hold, and sell real estate; legalizing the purchase, by said Board, of certain lands in Marion county; exempting the property of said Board from taxation; authorizing the County Treasurer of Marion county, and the Treasurer of State, to refund certain taxes; and making an annual appropriation for the use of said Board;" and that the same has been deposited in the office of the Secretary of State.

I am also directed by His Excellency, the Governor, to inform your honorable body that he has approved and signed House bill No. 7, entitled "an act to amend the first section of an act entitled 'an act to amend the second section of an act entitled 'an act concerning the organization of voluntary associations, and repealing former laws in reference thereto,' approved February 12th, 1855, so as to authorize the formation of ferry companies,'" approved February 16th,

1857, so as to authorize the survey, construction, maintainance, and repair of harbors, docks, and piers upon Lake Michigan, and other navigable waters, and to assess and collect tolls thereof;” and that the same has been deposited in the office of the Secretary of State.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof, to-wit:

Engrossed Senate bill No. 190. An act providing for the completion of the unfinished business of any session of the General Assembly by the next succeeding special session of the same General Assembly, and declaring an emergency.

Engrossed Senate bill No. 193. An act to amend sections 4 and 8 of an act entitled “an act to incorporate the town of Knightstown, in Henry county, in the State of Indiana,” approved February 2, 1837.

Engrossed Senate bill No. 141. A bill to amend the 2d, 5th and 6th sections of an act entitled “an act concerning the organization of voluntary associations, and repealing former laws in reference thereto,” approved February 12th, 1855.

In which the concurrence of the House is respectfully requested.

I am further directed to inform the House that the Senate has passed, without amendment, House bill No. 89, entitled “a bill to allow cities and towns to permit the location of railroads on the streets and alleys for the purpose of conveying coal into and through said cities and towns.”

Mr. Montgomery, from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER :

The Joint Committee on Enrolled Bills, would respectfully report that they have examined Enrolled House bill No. 14, and report the same is, in all respects, correctly and properly enrolled.

Mr. Chambers, from the Committee on Engrossed Bills, made the following report:

MR. SPEAKER :

I am directed by the Committee on Engrossed Bills to report to the

House that they have compared Engrossed House bill No. 156, and find the same correctly engrossed.

Mr. Buskirk moved to take up House bill No. 200—"a bill making specific appropriations for the year 1865."

Which was agreed to.

Mr. Buskirk moved that it be deemed expedient to suspend the Constitutional rule, requiring bills to be read on three several days by section, and that said bill be read by its title a second time.

The ayes and noes were taken under the constitution.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burton, Buskirk, Chambers, Church, Cook, Cox, Croan, Crook, Dunham, Ferris, Foulke, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hoover, Howard, Hunt, Johnson, Kilgore, Lane, Lasselle, Lee, Lemon, Lockhart, Lopp, Miller of Clinton, Meredith, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Reese, Rhoads, Rice, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Steward, Stenger, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Willis, Woods, Wright and Mr. Speaker—81.

None voting in the negative.

So it was deemed expedient to suspend said Constitutional rule, and read House bill No. 200 a second time by its title.

Mr. Newcomb, offered the following amendment :

Sec. —. That Holloway, Douglas & Co., be allowed the sum of three hundred and seventy-three dollars for extra copies of the Indianapolis Journal, furnished to the members of the House, and charged against them in their stationery accounts.

Which,

On motion,

Was referred to the Committee of Ways and Means.

Mr. Coffroth, offered the following amendment :

State of Indiana in account with E J. Metzger,

For Free Press furnished members of House of Representatives \$92 61.

Which was referred to the Committee of Ways and Means.

Mr. Miller, of Clinton, offered the following :

WHEREAS, The Committee on the State Prison North, had under consideration the claim of David J. Silvers on account of non-payment by the State of the moneys due him on contract for building work shops, connected with said Prison, and reported to the House that in the judgment of said Committee, said claim was just and recommend that fifteen hundred dollars thereof be allowed:

*Resolved*, That the Committee of Ways and Means be instructed to introduce the same into the Specific Appropriation bill.

Mr. Buskirk, moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?  
It was so ordered.

The question being on agreeing to the resolution.

Messrs. Banta and Griffith, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Brown, Burton, Burwell, Buskirk, Chambers, Cofroth, Cox, Croan, Dunham, Gregory of Montgomery, Griffith, Hamrick, Harrison, Howard, Kilgore, Lasselle, Lockhart, Miller of Clinton, Milroy, Montgomery, Rhoads, Rice, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Sim, Stenger, Stivers, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson and Veach—36.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Banta, Bonner, Boyd, Branham, Burnes, Cook, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregory of Warren, Groves, Hargrove, Henricks, Hershey, Hogate, Hoover, Hunt, James, Johnson, Lane, Lemon, Lopp, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Reese, Richards, Richardson, Riford, Shuey, Steward, Stringer, Welch, White, Willis, Woods and Mr. Speaker—45.

So the resolution was not agreed to.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representa-

tives, that the Senate has passed House bill No. 19, entitled "an act to amend an act, entitled an act in relation to witnesses, and to repeal section 238, of article 13, of the act entitled an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18th, 1852, and to repeal all laws inconsistent therewith, and providing when the act shall take effect, and be in force," which took effect and went into force March 17th, 1861, with the accompanying engrossed amendments thereto.

The Senate has also passed, with a slight amendment thereto, House bill No. 15, entitled a bill authorizing Supervisors to remove fences standing near public highways on streams and water courses, and to turn public roads and highways on water courses to the rear of buildings where such buildings stand too near the streams to give room for said roads or highways, and assess damages occasioned thereby.

I am further instructed to inform the House, that the Senate has passed the following engrossed bill thereof, to-wit:

Engrossed Senate bill No. 103. An act repealing all general laws now in force for the incorporation of cities, providing for the incorporation of cities, prescribing their powers, rights and duties, and the manner in which they shall exercise the same, and regulating other matters properly connected therewith, and repealing certain acts therein specified.

In all of which the concurrence of the House is respectfully requested.

Mr. Montgomery, was granted leave of absence on account of sickness.

Mr. Newcomb, moved to postpone the special order for this hour, and take up House bill No. 176.

Which was agreed to.

House bill No. 176. A bill making general appropriations for the years of 1865 and 1866, was taken up, and the following amendments read.

MR. SPEAKER:

The Committee of Ways and Means, to whom was referred House bill No. 176, making general appropriations, have had the same under consideration, and direct me to report the following amendments, and when so amended they recommend its passage:

Sec. —. That the sum of \$25,000 be, and the same is hereby, appropriated to pay the balance due and unpaid of the session of 1863, and \$25,063, further appropriated for the session of 1865, or so much thereof as may be necessary.

Sec. —. That for the Governor's Civil Contingent Fund the sum of \$7,000, for the year 1865, and the same amount, for the same purposes, for the year 1866, be, and the same is hereby appropriated, or so much thereof as may be necessary.

That for the expenses of the Supreme Court \$2,000 be, and the same is hereby appropriated for the year 1865, and the same amount, for the same purposes, for the year 1866, or so much thereof as may be necessary.

That for payment of the rent of State offices the sum of \$3,000 be, and the same is hereby appropriated for each of the years of 1865 and 1866.

That to pay the interest on the Vincennes University Bonds, for the years 1863 and 1864, the sum of \$7,988.80 be, and the same is hereby appropriated.

Sec. —. That to the amount due on the Common School Fund, for the year 1865, the sum of \$50,000 be, and the same is hereby appropriated, and a like sum, for like purposes, for 1866.

Sec. —. That the sum of \$12,000 for the Executive Department, for clerk hire, and necessary incidental expenses of Governor's office, for the year 1865, and the same amount, for the same purposes, for the year 1866, be, and the same is hereby appropriated, or so much thereof as may be necessary.

Sec. 8. That the sum of \$9,200 be, and the same is hereby appropriated for the Adjutant General's office, to pay the expenses of clerk hire, books, stationery, blanks furnished, &c., necessary to complete the unfinished and deferred work of said office, or so much thereof as may be necessary, for the year 1865.

Sec. 9. That the sum of \$12,000, or so much thereof as may be necessary, be, and the same is hereby appropriated to pay the expenses of clerk hire, books, stationery, blanks furnished, and incidental expenses, for the current business of the office of the Adjutant General, for the year 1865; and that the further sum of \$12,000, or so much thereof as may be necessary, be, and the same is hereby appropriated for the year 1866.

Sec. 10. That the sum of \$5,000, or so much thereof as may be necessary, be, and the same is hereby appropriated, to defray the ex-



penses of telegraphing for the Executive Department for the year 1865, and that the further sum of \$5,000, or so much thereof as may be necessary, be, and the same is hereby appropriated for the year 1866.

Sec. 11. That the Adjutant General of the State shall have the rank, pay, and allowances of a Brigadier General in the army of the United States on post duty, to be paid out of the Treasury, out of any funds not otherwise appropriated, upon proper and duly certified vouchers.

Sec. 12. That for repairing and painting woodwork at the Insane Asylum, the sum of \$2,500, or so much thereof as may be necessary, be, and the same is hereby appropriated.

Sec. 13. That for repainting Blind Asylum, and for the purchase of bedding for same, of \$2,500, or so much thereof as may be necessary, be, and the same is hereby appropriated.

Sec. 14. That the sum of \$4,000, for building a shop at the Deaf and Dumb Asylum, be, and the same is hereby appropriated.

Sec. 15. That for the current expenses of the Judiciary, for the year 1865, the sum of \$1,500 be, and the same is hereby appropriated, or so much thereof or may be necessary, and a like sum, for like purposes, for the year 1866.

Sec. 16. That for defraying the expenses of public printing, for the year 1865, the sum of \$40,000, or so much thereof as may be necessary, be, and the same is hereby appropriated; and \$25,000 for the same purpose, for 1866.

Sec. 17. That for State House attendance and repairs, the sum of \$1,800, or so much thereof as may be necessary, be, and the same is hereby appropriated, for the year 1865, and \$1,500 for the same purpose for 1866.

Sec. 18. That for the current expenses of the State Library, for the year 1865, the sum of \$1,300, or so much thereof as may be necessary, be, and the same is hereby appropriated.

Sec. 19. That for the Indiana Reports the sum of \$3,000, or so much thereof as may be necessary, be, and the same is hereby appropriated for the year 1865.

Sec. 20. That for defraying the expenses of Sheriffs' mileage, for the year 1865, the sum of \$5,000 or so much thereof as may be necessary, be, and the same is hereby appropriated, and a like sum, for like purposes, for the year 1866.

Sec. 21. That for miscellaneous expenses, for the year 1865, the sum of \$10,000, or so much thereof as may be necessary, be, and the same is hereby appropriated, and a like sum, for like purposes, for the year 1866.

Sec. 22. For incidental expenses, including fuel, stationery, &c., the sum of \$3,000, or so much thereof as may be necessary, be, and the same is hereby appropriated for the year 1865, and a like sum, for like expenses, for the year 1866.

Sec. 23. That for the traveling expenses of the Superintendent of Public Instruction, for the year 1865, the sum of \$500 be, and the same is hereby appropriated, or so much thereof as may be necessary, and a like sum, for like purposes, for the year 1866.

Sec. 24. That for the expenses of the Auditor of State's office, the sum of \$1,500, or so much thereof as may be necessary, be, and the same is hereby appropriated for the year 1865, and the same amount, for the same purpose, for the year 1866.

Sec. 25. That for the expenses of the office of the Treasurer of State, for the year 1865, the sum of \$1,000, or so much thereof as may be necessary, be, and the same is hereby appropriated, and a like sum, for like purposes, for the year 1866.

Sec. 26. That for the expenses of the office of Secretary of State, for the year 1865, the sum of \$1,000, or so much thereof as may be necessary, be, and the same is hereby appropriated, and a like sum, for like purposes, for the year 1866.

Sec. 27. That to pay the interest on the Sinking Fund Bonds the sum of \$71,293.18 be, and the same is hereby appropriated.

Sec. 28. That for office rent, fuel, light, and stationery, for Attorney General, for the year 1865, the sum of \$500, be, and the same is hereby appropriated; and a like sum, for like purposes, for the year 1866.

Sec. 29. That the sum of eight hundred dollars, be, and is hereby appropriated to M. L. Brett, for extra services during his term of office in purchasing State Stock and Bonds and the further sum of two hundred dollars expenses of trip to New York, after his official term expired, to make settlement with Winslow, Lanier & Co., be, and the same is hereby appropriated.

Sec. 30. That the sum of two thousand and ninety-one dollars and thirty-four cents be and is hereby appropriated to repay Samuel H. Patterson, late lessee of the State Prison South, for money expended by him, on account of convict labor during said Patterson's lease.

Sec. 31. That the sum of seven hundred dollars be, and the same is hereby appropriated to pay the balance due Merrill & Co., for copies of the Indiana Reports now in the possession of said Merrill & Co.

Sec. 32. That the sum of five thousand five hundred and eight dollars, be, and the same is hereby appropriated, to be divided equally between the years, 1865 and 1866 for volumes 23 and 24, of the Indiana Reports.

Sec. 33. That the sum of two thousand dollars be, and the same is hereby appropriated for contingent expenses of the Supreme Court.

Sec. 34. That to pay the indebtedness of the State Prison North, for building offices, furnishing walls and tower, and completing south wing of cells, the sum of ninety-five thousand five hundred and ten dollars and eighty-eight cents be, and the same is hereby appropriated.

Sec. 35. That for the purchase of musical instruments and school apparatus for Blind Asylum the sum of one thousand dollars, be and the same is hereby appropriated.

Sec. 36. That to pay the claims audited by the Auditing Committees of 1861 and 1862, and the Auditing Committee of 1863 and 1864, the sum of two hundred and forty thousand seven hundred and forty dollars and sixty-seven cents be, and the same is hereby appropriated.

Sec. 37. That the sum of two hundred thousand dollars be, and the same is hereby appropriated as a general military fund out of which shall be paid the claims of a military nature not otherwise provided for properly chargeable to the State, including the claims against the pay department of the Indiana Legion unadjusted and now due.

Sec. 38. That the sum of five thousand dollars, or so much thereof as may be necessary be, and the same is hereby appropriated for the department of the Quartermaster General of the State of Indiana.

Sec. 39. That the sum of two thousand five hundred dollars be, and the same is hereby appropriated to pay all claims now due and unadjusted of the troops called into the State service under the order authorizing the raising of six regiments for twelve months service.

Sec. 40. That for the payment of the salary of twenty-one Prosecuting Attorneys of the Common Pleas Court, at two hundred dollars each, the sum of four thousand two hundred dollars be, and the same is hereby appropriated for the years 1865 and 1866.

Sec. 41. That a Military Auditing Committee be created according to the sections hereunto annexed.

Were severally read and agreed to.

Mr. Rhoads, moved to strike out five hundred dollars, and insert six hundred dollars as the sum allowed the Superintendent of Public Instruction for traveling expenses.

Which was agreed to.

Mr. Meredith offered the following amendment:

Strike out fifty thousand and insert sixty thousand in its place in section of the bill so as to make the appropriation sixty thousand dollars for each of the years 1865 and 1866, for the current expenses of the Hospital for the Insane.

Which was agreed to.

Mr. Howard offered the following amendment:

Sec. —. That the sum of six thousand dollars be, and the same is hereby appropriated to be expended by the Board of Directors of the Southern Prison, in purchasing, in the name of the State and for the use of said Prison, the six acres of land owned by Joseph D. Smith, and which tract of land has been for several years enclosed and used as a garden for said prison, and which lies immediately in front and south of said Prison, *provided however*, that said Board of Directors shall not pay, or agree to pay, more than one thousand dollars per acre for said tract of land. *Provided further*, that the said Board of Directors, if they should deem it best for the interest of the said Prison and the State, may expend the said sum of money hereby appropriated in purchasing eight acres of land, being situated at the north west side of said Prison and west of the Clarksville Avenue, or so much thereof as may be necessary.

Which was agreed to.

Mr. Gregory, of Warren, offered the following resolution:

*Resolved*, That for the purpose of saving a large expense to this State, in case it shall become necessary for the Governor to call a special session of the Legislature, that this House do agree to take up Senate bill No. 190, on that subject, and make the same the special order for Saturday morning, March 4th, 1865, at 9 o'clock, A. M.

Which was agreed to.

On motion,

House bill No. 176 was considered as engrossed, and read a third time.

Mr. Higgins offered the following resolution:

*Resolved*, That the Stationery Clerk be instructed to report to this House a detailed statement of the stationery furnished the different Committees of the House.

Which was agreed to.

On motion,  
The House adjourned.

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2 O'CLOCK, P. M.

The House met.

Messrs. Zeigler and Olleman were granted leave of absence on account of sickness.

Message from the Senate by Mr. Whittlesey, their Secretary.

MR. SPEAKER :

By direction of the Senate I herewith return enrolled Act No 14, of the House, which has been signed by the President of the Senate.

House bill No. 176 having been read a third time,

Mr. Higgins, by unanimous consent, moved to strike out the amount allowed to Prosecuting Attorneys for Courts of Common Pleas.

Which was agreed to.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Bird, Bonner, Boyd, Branham, Burnes, Burwell, Buskirk, Church, Coffroth, Cook, Cox, Crook, Croan, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, James, Johnson, Kilgore, Lasselle, Lemon, Lockhart, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Reese, Rhoads, Richards, Richardson, Roach, Shoaff of Allen, Shuey, Sim, Stenger,

Stringer, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, Whiteside, Willis, Woods, Wright, Zeigler, and Mr. Speaker—76.

None voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title of the bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

#### SPECIAL ORDER FOR THE DAY.

Senate bill No. 15. A bill appointing a Commissioner to adjust the claims of citizens of Indiana for damages sustained by reason of the raid of the rebel forces, under the command of John Morgan, in July, 1863, and under Adam Johnson, in the summer of 1864; prescribing some of their powers, and providing for the payment of the claims adjusted by said Commissioners, and matters properly connected therewith.

Mr. Pettit offered the following amendment :

Add, as an additional section, the following :

“Sec. 14. It shall not be lawful for any person to receive any warrant for any of the allowances provided for under this act, until he, or the person under whom he may derive the same, or the agent, or attorney of such person, shall have first filed with Auditor of State his affidavit, which shall be dated and certified not more than ten days before the issuing of the warrant; that he, or the person under whom he derived the same, or the principal of said agent, or attorney, was the original claimant; and that since the passage of this act he has not directly or indirectly sold, assigned or transferred the same to any person or persons whatever; or agreed to, or stipulated with regard to the same; but that the whole interest thereof remains in himself. And any such sale, assignment, or transfer, made after the passage of this act, shall thereby wholly vitiate and defeat said claim and allowance; and a payment made in contravention of this act, may be recovered back in the name of the State at any time within five years, with fifty per cent. damages, and interest from the date of said payment.”

Which was agreed to.

Mr. Pettit moved to strike out last proviso in section.

Which was agreed to.

Mr. Buskirk offered the following amendments :

Amend section five by striking out all of said section, after the word "state," in line 102.

Add the following section :

"Sec. —. The Governor shall also appoint some competent person to act as Clerk to such Commissioner, who, before entering upon his duties, shall take an oath or affirmation to faithfully and honestly discharge his duties, shall keep a full and accurate record of the proceedings of such Commissioner; shall file and preserve all papers filed with said Commissioner, and shall receive five dollars per day for the time actually employed, and may be removed by the Governor and another appointed in his stead."

Which were adopted.

Mr. Buskirk moved to amend by striking out the word "appoint," and inserting in lieu thereof the word "employ," wherever the same occurs in reference to the attorneys.

Which was agreed to.

Mr. Wright offered the following amendment :

Amend in each county named in this bill.

Which was agreed to.

Mr. Newcomb moved to amend as follows :

"Sec. 15. If the payment made from the State Treasury, under the provisions of this act, shall have a deficit in the Treasury, so that other legal demands thereon can not be paid, it shall be the duty of the Governor, Auditor, Treasurer, or a majority of them, to borrow a sum sufficient to reimburse the Treasury the amount drawn out under the provisions of this act, or so much thereof as may be necessary, for which they shall give an obligation of the State, payable at the ————, at a day not later than March 10th, with interest at the rate of six per cent. per annum."

Which was agreed to.

The bill having been read a third time, and,

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Boyd, Branham, Brown, Burton, Burwell, Buskirk, Church, Cook, Croan, Crook, Dunham, Emerson, Ferris, Goodman, Glazebrook, Gregg, Griffith, Hargrove, Harrison,

Howard, Hunt, James, Johnson, Kilgore, Lasselle, Lee, Lemon, Lopp Meredith, Miller of Clinton, Miller of Tippecanoe, McVey, Newcomb, O'Brien, Osborn, Patterson, Perigo, Reese, Rice, Riford, Roach, Shoaff of Jay, Shoaff of Allen, Steward, Stenger, Sullivan of Scott, Thatcher, Trusler, Veach, Welch, White and Wright—56.

Those who voted in the negative were,

Messrs. Bird, Bonner, Burnes, Chambers, Cox, Foulke, Gegory of Montgomery, Gregory of Warren, Henricks, Hershey, Higgins, Hoggate, Hoover, Lane, Lockhart, Olleman, Richards, Sabin, Shuey, Sim, Stringer, Upson, Whiteside, Willis, Woods and Zeigler—26.

So the bill passed.

Mr. Newcomb offered the following amendment to the title :

Add "and to authorize the Governor, Auditor, and Treasurer of State to contract a loan for the purpose of reimbursing to the Treasurer of State the amount disbursed under the provisions thereof."

Which was agreed to.

The title, as amended, was then adopted.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Rhoads, from the Joint Committee on Enrolled Bills, made the following report :

MR. SPEAKER :

The Joint Committee on Enrolled Bills respectfully report that they have examined enrolled act No. 14, House of Representatives, have carefully compared it with the engrossed copy thereof and found it in all respects correctly and properly enrolled, and presented the same to his Excellency, O. P. Morton, Governor of the State, for his approval and signature March 3d, 1865, at 2:35 o'clock P. M.

Message from the Senate by Mr. Whittlesey, their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate has passed the following engrossed bills thereof, to-wit :

Engrossed Senate bill No. 126. A bill to amend section 1st of an act entitled an act relative to the salaries of public officers, and pro-



viding the manner of paying the same, and the manner of reimbursing the State for an increase of salaries, approved March 5th, 1859.

Engrossed Senate bill No. 178. An act to authorize companies for the construction of water works in and for incorporated cities, to enable such cities to subscribe stock in such companies, and to issue and sell bonds for the payment thereof.

In which the House is respectfully requested to concur.

Mr. Church, offered the following resolution :

*Resolved*, That it shall be the duty of the Stationery Clerk, at the close of the session, to deliver to the State Librarian, the stationery then in his possession.

Which was agreed to.

Mr. Newcomb, moved to take up Senate bill No. 190. A bill providing for the completion of the unfinished business of any session of the General Assembly by the next succeeding special session of the same General Assembly, and declaring an emergency.

Was read a first time.

Mr. Newcomb, moved that it be deemed expedient to suspend the Constitutional rule requiring bills to be read on three several days, and that said bill be read a second time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Abbott, Atkinson, Banta, Bonner, Boyd, Burwell, Buskirk, Chambers, Church, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, Johnson, Lee, Lockhart, Meredith, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Steward, Stringer, Upson, Veach, Welch Whiteside, Willis, Woods, Zeigler and Mr. Speaker—63.

Those who voted in the negative were,

Messrs. Bird, Burton, Dunham, Glazebrook, Gregg, Lemon, Lopp, Milroy, O'Brien, Stenger, Sullivan of Scott and Thatcher—12.

So it was deemed expedient to suspend said Constitutional rule, and said bill was read a second time and passed to a third reading.

Mr. Newcomb, moved that it be deemed expedient to suspend the Constitutional rule requiring bills to be read on three several days, and that Senate bill No. 190 be read a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Burnes, Buskirk, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Johnson, Kilgore, Lane, Lee, Lockhart, Lopp, Meredith, Miller of Clinton, Miller of Tippecanoe, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Reese, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shuey, Sim, Steward, Stringer, Sullivan of Scott, Trusler, Upson, Veach, Welch, Whiteside, Willis, Woods, Wright, Zeigler and Mr. Speaker—62

Those who voted in the negative were,

Messrs. Abbett, Bird, Burton, Croan, Dunham, Foulke, Glazebrook, Gregg, Hunt, Lemon, O'Brien, Richards, Shoaff of Allen, Stenger and Thatcher—15.

So it was deemed expedient to suspend said Constitutional rule, and Senate bill No. 190, was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Johnson, Kilgore, Lane, Lockhart, Meredith, Miller of Clinton, Miller of Tippecanoe, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Reese, Rhoads, Rice, Richards, Riford, Roach, Sabin, Shuey, Sim, Steward, Stivers, Stringer, Trusler, Upson, Veach, White, Whiteside, Willis, Wright, Zeigler and Mr. Speaker—63.

Those who voted in the negative were,

Messrs. Abbett, Bird, Burton, Buskirk, Dunham, Glazebrook, Gregg, Hunt, Lemon, Lopp, Milroy, O'Brien, Richardson, Shoaff of Allen, Stenger, and Thatcher—16.

So the bill passed.

The question being, shall the title, as read, stand as the title of the bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

By unanimous consent,

House bill No. 119. "A bill to establish and create a State Normal School and matters connected therewith,"

Was taken up, having been previously read a third time.

Mr. Olleman, moved to amend, in the proper place, by inserting these words: "and by concurrent resolution."

Which was agreed to.

Mr. Hamrick, moved to amend as follows:

Strike out in section 11, 10th line, all after the word "impose."

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Bonner, Branham, Brown, Burnes, Buskirk, Chambers, Church, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Johnson, Kilgore, Lane, Lockhart, Meredith, Milroy, McVey, Newcomb, Olleman, Osborn, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shuey, Sim, Steward, Stenger, Stivers, Trusler, Upson, Veach, Whiteside, Willis, Woods, Zeigler and Mr. Speaker—58.

Those who voted in the negative were,

Messrs. Atkinson, Banta, Bird, Boyd, Burton, Goodman, Griffith, Hargrove, Harrison, Hunt, O'Brien, Perigo, Reese, Richards, Stringer, Sullivan of Scott, Thatcher, White and Wright—20.

So the bill passed.

The question being, shall the title, as read, stand as the title of the bill?

It was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Message from the Senate by Mr. Whittlesey, their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate has passed, with the accompanying engrossed amendment, House bill No. 150, entitled "an act to provide for the appraisement for taxation of the property of railroad companies within this State; prescribing the duties of officers in relation thereto, and repealing all laws in contravention thereof, or inconsistent therewith."

In which the House is respectfully requested to concur.

I am further directed to inform the House that the Senate has passed, without amendment, House bill No. 140, entitled "a bill ratifying the action of the Governor in settling and discharging the State's quota of the direct tax levied by Congress in 1861; and authorizing him to settle all unsettled claims of the State against the United States."

Mr. Newcomb moved to suspend the order of business and take up Senate bill No. 126.

Which was agreed to.

Senate bill No. 126. A bill to amend section first of an act entitled "an act relative to the salaries of public officers, and providing the manner of paying the same, and the manner of re-imbursing the State for an increase of salaries," approved March 5th, 1859.

Was read a first time.

Mr. Buskirk moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read on three several days, that said bill may be read a second time now.

The ayes and noes were taken under the constitution.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Boyd, Branham, Brown, Burnes, Burwell, Buskirk, Chambers, Church, Cook, Cox, Croan, Crook, Ferris, Dunham, Foulke, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Hogate, Hoover, Howard, Hunt, Johnson, Kilgore, Lane, Lockhart, Meredith, Miller of Clinton, Miller of Tippecanoe, McVey, Newcomb, O'Brien, Osborn, Perigo, Reese, Rhoads, Rice, Richards, Roach, Shuey, Sim, Steward, Stenger, Stivers, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woods, Wright and Mr. Speaker—64.

Those who voted in the negative were,

Messrs. Banta, Bonner, Goodman, Glazebrook, Higgins, Lemon, Lopp, Milroy, Olleman, Riford and Sabin—11.

So it was deemed expedient to suspend said constitutional rule, and read said bill a second time by its title.

Mr. Higgins offered the following amendment:

For Supreme Judges, strike out \$3,000, and insert \$2,500; for Circuit Judges, strike out \$2,000, and insert \$1,750; Common Pleas Judges, strike out \$1,500, and insert \$1,250.

Mr. Miller, of Tippecanoe, moved to lay the amendment on the table.

Messrs. Higgins and Milroy demanded the ayes and nays.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Boyd, Branham, Burnes, Burwell, Buskirk, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Harrison, Henricks, Hogate, Hoover, Howard, Kilgore, Lemon, Lopp, Meredith, Miller of Tippecanoe, McVey, Newcomb, O'Brien, Perigo, Reese, Rhoads, Rice, Shuey, Sim, Steward, Stenger, Stuckey, Sullivan of Scott, Trusler, Upson, Welch, Whiteside, Willis, Wright, Zeigler and Mr. Speaker—51.

Those who voted in the negative were,

Messrs. Banta, Bird, Bonner, Chambers, Croan, Goodman, Glazebrook, Hamrick, Hargrove, Hershey, Higgins Hunt, Johnson, Lane, Lockhart, Milroy, Olleman, Osborn, Richards, Riford, Roach, Sabin, Shoaff of Allen, Stivers, Thatcher, Veach, White and Woods—28.

So the amendment was laid on the table.

Mr. Olleman moved to strike out "\$3,000," as salary of the President of the Sinking Fund, and insert "\$2,000."

Mr. Brown moved to lay the amendment on the table.  
Which was agreed to.

Mr. Pettit offered the following amendment:

"Sec. —. Nothing in this act shall be so construed as to effect the salaries of any officers, as now established by law, except Judges

of the Supreme Court, and Common Pleas Courts, and the Superintendent of Public Instruction."

Which was agreed to.

Mr. Brown moved the previous question,  
Which was seconded by the House.

The question being, shall the main question be now put?  
It was so ordered.

The question being, shall the bill be read a third time?  
It was so ordered.

Senate bill No. 126 was read a third time, and,

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbott, Atkinson, Beckett, Boyd, Branham, Brown, Burnes, Burwell, Buskirk, Church, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey, Hogate, Hoover, Howard, Kilgore, Meredith, Miller of Tippecanoe, McVey, Newcomb, O'Brien, Perigo, Reese, Rhoads, Rice, Shuey, Sim, Steward, Stivers, Trusler, Upson, Veach, Welch, Whiteside, Willis, Woods, Wright, and Mr. Speaker—51.

Those who voted in the negative were,

Messrs. Banta, Bird, Bonner, Chambers, Goodman, Glazebrook, Gregg, Hargrove, Higgins, Hunt, Lemon, Lockhart, Lopp, Milroy, Olleman, Osborn, Patterson, Riford, Sabin, Shoaff of Allen, Stenger, Stuckey, Sullivan of Scott, and White—24.

So the bill passed.

The question being, shall the title, as read, stand as the title of the bill?

It was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Message from the Governor by Mr. Sulgrove, his Private Secretary.

*To the House of Representatives of the State of Indiana:*

The Constitution of the State limits the legislative term to sixty-

one days. In counting these days, heretofore, Sundays have been included. I am satisfied however, from a careful examination of the Constitution, in connection with several usages and principles of law that are well recognized, that the practice has been erroneous, and that sixty-one working days are meant. By common consent in this and other States, Sunday is not considered a legislative day, and it is specially excepted from the three days during which the Governor has time to consider a bill. In analogy to this, Sunday is not considered as a judicial day to be counted in the term of court in any State where the common law prevails.

It will not be denied by any one that the legislative term established by the Constitution, as heretofore construed, is too short for the dispatch of the necessary business of the State, and if, by proper construction, it can be extended for a few days, it will be of great importance to the public interest. Accordingly, I have asked the opinion of the four Judges of the Supreme Court upon the question, which they have given to me in writing, as follows :

INDIANAPOLIS, March 3d, 1865.

*To His Excellency O. P. Morton, Governor :*

*Sir*, in response to your request for our opinion upon the question whether "the term of sixty-one days," to which the session of the Legislature is limited by the Constitution, includes intervening Sundays, we beg to say that we have given the subject such consideration as time would permit, and that we deem the better opinion to be that business days only are embraced. Various considerations tend so strongly to support this view that if a contrary practice had not heretofore prevailed, we would hardly entertain a doubt upon the subject.

If the Legislatures should now be of the opinion above indicated, and should act upon it, of course it would go far to annul the influence of the former practice of that body as a precedent, and at any rate, if the question be deemed a doubtful one, the courts would not, it is well settled, be justified in holding void the action of a co-ordinate department.

This being simply a question of public importance which cannot, as we suppose, involve any party considerations, or mere private and personal interests, we have felt no delicacy in giving our view upon it. We have not meant however, to depart from that rule of silence which we have prescribed to ourselves, as to measures of legislation which may be pending.

CHAS. A. RAY,  
J. T. ELLIOTT,  
JAS. S. FRAZER,  
R. C. GREGORY.

I have also consulted the President of the Senate and the Speaker

of the House of Representatives, both able and learned lawyers, and find that they concur in the opinion expressed by the Judges of the Supreme Court.

In view of the importance of the subject, and the present condition of the business of the Legislature, I have thought it proper to call your attention to the subject in a special message.

O. P. MORTON,  
*Governor of Indiana.*

Senate bill No. 20. A bill to amend section one and two of an act entitled an act to fix the per diem and mileage of members of the General Assembly, Secretaries, Clerks and Doorkeepers, approved June 4th, 1852.

Was read a second time.

Mr. Newcomb, moved to amend by striking out \$5 00 for every 25 miles travel for members, and inserting \$3 00.

Mr. Milroy moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on agreeing to the amendment offered by Mr Newcomb.

Messrs. Milroy and Newcomb, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Bonner, Boyd, Branham, Cox, Goodman, Glazebrook, Gregory of Montgomery, Griffith, Hershey, Hogate, Hoover, Hunt, Johnson, Lane, Lockhart, Milroy, McVey, Newcomb, Olleman, Osborn, Patterson, Richards, Riford, Sabin, Shuey, Stivers, Stringer, Sullivan of Scott, Thatcher, Welch, White, Woods, Zeigler and Mr. Speaker—37.

Those who voted in the negative were,

Messrs. Beckett, Bird, Brown, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Croan, Crook, Ferris, Foulke, Gregg, Gregory of Warren, Groves, Hamrick, Hargrove, Harrison, Higgins, Howard, James, Kilgore, Lemon, Lopp, Miller of Clinton, Miller of Tippecanoe, Perigo, Rhoads, Rice, Sim, Steward, Stenger, Stuckey, Trussler, Upson, Veach, Whiteside, Willis and Wright—44.



So the amendment was not agreed to.

Mr. Brown, moved that it be deemed expedient to suspend the Constitutional rule requiring the reading of bills on three several days, and that said bill be read a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Beckett, Boyd, Brown, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Dunham, Ferris, Foulke, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, James, Kilgore, Lemon, Lockhart, Miller of Clinton, Miller of Tippecanoe, Milroy, Osborn, Perigo, Reese, Rhoads, Rice, Richards, Sabin, Shoaff of Allen, Shuey, Sim, Steward, Stenger, Stivers, Stringer, Stuckey, Trusler, Upson, Veach, Whiteside, Willis, Woods, Wright and Mr. Speaker—63.

Those who voted in the negative were,

Messrs. Banta, Bird, Bonner, Branham, Goodman, Hunt, Johnson, Lane, Lopp, McVey, Newcomb, Olleman, Riford, Thatcher, Welch, White, and Zeigler—17.

So it was deemed expedient to suspend said Constitutional rule, and Senate bill No. 20, was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Beckett, Bird, Boyd, Brown, Burnes, Burton, Burwell, Buskirk, Church, Coffroth, Cook, Cox, Croan, Crook, Dunham, Ferris, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Howard, Hoover, James, Kilgore, Lasselle, Lee, Miller of Clinton, Miller of Tippecanoe, Milroy, O'Brien, Osborn, Perigo, Reese, Rhoads, Rice, Richards, Shuey, Sim, Steward, Stivers, Stuckey, Upson, Veach, Welch, White, Whiteside, Willis and Wright—53.

Those who voted in the negative were,

Messrs. Banta, Bonner, Branham, Chambers, Goodman, Glazebrook, Hargrove, Henricks, Hershey, Higgins, Hogate, Hunt, John-

son, Lane, Lemon, Lockhart, Lopp, McVey, Newcomb, Olleman, Riford, Sabin, Stenger, Stringer, Thatcher and Woods—28.

So the bill passed.

The question being, shall the title, as read, stand as the title of the bill.

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Senate bill No. 195. An act to legalize and declare valid and effectual, all the orders, judgments and other proceedings made, rendered and had by and before the Court of Common Pleas of Dearborn county, in the State of Indiana, held in the court house of said county, in the month of February in the year 1865, and then and there, by and before the several Judges of the said court.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Beckett, Bird, Boyd, Branham, Brown, Burnes, Burton, Burwell, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, James, Johnson, Kilgore, Lee, Lemon, Lockhart, Lopp, Miller of Tippecanoe, Milroy, McVey, Newcomb, O'Brien, Osborn, Patterson, Perigo, Reese, Richards, Riford, Sabin, Shuey, Steward, Stenger, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woods, Wright, Zeigler and Mr. Speaker—70.

Those who voted in the negative were,

Messrs. Glazebrook, Lane and Stringer—3.

Mr. Miller, of Tippecanoe, moved that when the House adjourn, it be till 7½ o'clock this evening.

Which was agreed to.

Mr. Branham, from the Committee of Ways and Means, made the following report:

**MR. SPEAKER:**

The Committee of Ways and Means, to whom was referred House

bill No. 200, have had the same under consideration, and direct me to report the bill back to the House, and recommend its passage, with the amendments therewith annexed, numbered from 111 to 143, both inclusive.

House bill No. 200, "a bill making special appropriations for the year one thousand eight hundred and sixty-five,"

Was taken up.

Mr. Griffith offered the following amendment:

Sec. —. That there be allowed to I. H. Woodburn the sum of five hundred dollars, for services rendered and expenses incurred in behalf of the Hospital for the Insane.

Which was not agreed to.

Mr. Griffith offered the following amendment:

Sec. —. That Higgins Lane, Ambrose D. Hamrick, Cornelius J. Miller, Austin M. Puett, and Samuel Collover, be each allowed the sum of seventy-five dollars for expenses incurred as contestors and contestees in certain election cases.

Which was not agreed to.

Mr. Griffith offered the following amendment:

Sec. —. That each member of the House Committees on State Prisons be allowed the sum of fifteen dollars for services in visiting said prisons, and examining same and accounts therefor.

Mr. Wright moved to amend by striking out "fifteen dollars," and allowing instead their "mileage."

Pending which,

Mr. Coffroth moved to take up the message from the Governor.

Which was agreed to.

Mr. Coffroth moved that said message be referred to a special committee of five.

Which was agreed to.

Mr. Reese moved to refer the same to the Committee on the Judiciary.

Mr. Sim moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was agreed to.

The question being, on referring to the Committee on the Judiciary.

It was not agreed to.

The question then recurring on referring to a Select Committee.  
The same was agreed to.

Mr. Coffroth moved to reconsider the vote whereby the House agreed to adjourn till 7½ o'clock this evening.  
Which was agreed to.

The Speaker announced the following Special Committee on Governor's Message: Messrs. Coffroth, Church, Newcomb, Buskirk, and Miller of Tippecanoe.

Consent was given, and engrossed Senate bill No. 168 was taken up, and read a second time, and passed to a third reading on to-morrow.

By consent, Engrossed Senate bill was taken up, read a second time, and passed to a third reading.

Mr. Brown moved that when the House adjourn, it be till 9 o'clock to-morrow morning.

Which was agreed to.

On motion,  
The House adjourned.

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SATURDAY MORNING, 9 o'clock, }  
March 4th, 1865. }

The House met pursuant to adjournment.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Abbett, Banta, Beckett, Bird, Branham, Brown, Burton, Burwell, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Hargrove, Har-

rison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, James, Johnson, Kilgore, Lee, Lemon, Lockhart, Lopp, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Reese, Rhoads, Rice, Richards, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Steward, Stenger, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—79.

The further call of the House was dispensed with.

Mr. Beckett, moved that the reading of the journal be dispensed with.

Messrs. Dunham and Griffith, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Boyd, Branham, Burnes, Chambers, Church, Cook, Cox, Emerson, Ferris, Foulke, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lane, Lockhart, Meredith, Miller of Tippecanoe, Newcomb, Olleman, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Stivers, Stringer, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright and Mr. Speaker—46.

Those who voted in the negative were,

Messrs. Abbett, Banta, Bird, Brown, Burton, Burwell, Coffroth, Croan, Crook, Dunham, Goodman, Glazebrook, Griffith, Hargrove, Harrison, Howard, Hunt, Lemon, Lopp, Milroy, O'Brien, Osborn, Patterson, Perigo, Reese, Richards, Roach, Shoaff of Jay, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach and White—34.

So the reading of the Journal was dispensed with.

The Journal was approved as the proceedings of yesterday.

#### PETITIONS, MEMORIALS, AND REMONSTRANCES.

Pending the call for Petitions, Memorials and Remonstrances.

Mr. Coffroth moved to suspend the order of business and take from the files a certain protest informally offered to the House some days since, against the decision of the Speaker in entertaining the adoption of a certain resolution offered by Mr. Branham, in relation to taking up the General Appropriation bills &c.

The Speaker declared the motion to be out of order at the present time.

Upon which, Mr. Coffroth presented the following appeal from the decision of the Chair in ruling out of order the motion of the gentleman from Huntington to suspend the order of business so that the protest of certain of the members of the House may be entered upon the Journal, we appeal.

J. R. COFFROTH,  
J. R. O'BRIEN,  
A. J. BECKETT,  
GEO. C. THATCHER,  
SAM'L H. BUSKIRK,  
JASON R. BROWN.

The question being, shall the decision of the Chair stand as the judgment of the House.

Messrs. Brown and Coffroth, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gegory of Montgomery, Gregory of Warren, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lane, Lockhart, Miller of Tippecanoe, McVey, Olleman, Reese, Riford, Sabin, Shuey, Steward, Stivers, Stringer, Trusler, Upson; Welch, Whiteside, Willis, Woodruff and Woods—44.

Those who voted in the negative were,

Messrs. Abbett, Beckett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Croan Dunham, Glazebrook, Griffith, Hargrove, Harrison, Howard, Hunt, Lemon, Lopp, O'Brien, Osborn, Patterson, Perigo, Rhoads, Rice, Richards, Roach, Shoaff of Allen, Shoaff of Jay, Stenger, Stuckey, Sullivan of Scott, Thatcher and White—33.

So the decision of the Chair was sustained.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Gregory, from the Committee on Education, made the following report:

MR. SPEAKER:

The Committee on Education to whom was referred the petition of

sundry citizens of Wayne county, praying that the German language might be allowed to be taught as a branch of learning in our Common schools, beg leave to report that that matter has received the due attention of said Committee, and they have heretofore at this session reported against the measure proposed and they still adhere to the same opinion, that the same is not practicable.

Which was laid on the table.

Mr. Henricks, from the Committee on Claims made the following report :

MR. SPEAKER :

The Committee on Claims to whom was referred the following named claims for the various amounts and purposes hereinafter named have had the same under consideration and would recommend that they be allowed, and referred to the Committee of Ways and Means to be incorporated in the Specific Appropriation Bill for payment.

The claims are as follows to-wit :

Hall & Hutchinson, for the sum of \$50.00 for blank books for use Senate, 1865.

Hall & Hutchinson, for the sum of \$20.00, for blanks, use of House and Senate, 1865.

E. J. Metzger, for the sum of \$92.61, for "Frie Presse," furnished members of House of Representatives, 1865.

Tousey & Byram, for the sum of \$656.37, for sundry articles for use at State House, 1863.

John C. Dunn, for the sum of \$34, for repairing gas pipe, for labor, &c., in 1865.

Which was referred to the Committee of Ways and Means, with instructions to include the same in the Specific Appropriation bill.

Mr. Bonner, from the Committee on the Sinking Fund, made the following report :

MR. SPEAKER :

The Sinking Fund Committee, to whom was referred the petition of John T. Smith, have reconsidered the same, and ask leave to report the petition back to the House, and recommend that it do lie upon the table.

Which was laid on the table.

Mr. Rhoads, from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills would respectfully report that they have carefully compared Engrossed House Bills Nos. 89 and 140 with the enrolled copies thereof, and find that the same have in all respects been accurately and properly enrolled.

Message from the Senate by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to transmit to the House the following resolution, adopted by the Senate:

*Resolved*, That the House of Representatives be requested to return to the Senate, House bill No. 158, which was transmitted to the House, as having passed the Senate, by mistake.

The return of said bill to the Senate is therefore respectfully requested.

On motion by Mr. Coffroth,  
Said bill was returned, as above requested.

Message from the Senate by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has passed the following engrossed bill thereof, to-wit:

Engrossed Senate bill No. 119. A bill accepting the provisions of an act of the Congress of the United States of America, entitled "an act donating lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and the Mechanic Arts, and providing for the receipt, investment and management of said donation.

In which the concurrence of the House is respectfully requested.

I am further directed to present to the House, for the signature of the Speaker, the following enrolled acts of the Senate, to-wit:

Enrolled Act No. 190. An act providing for the completion of the unfinished business of any session of the General Assembly, by the next same General Assembly.



Enrolled Act No. 20. An act to amend sections one and two of an act entitled "an act fixing the per diem and mileage of members of the General Assembly, Secretaries, Clerks and Doorkeepers," approved June 4th, 1852.

Enrolled Act No. 126. An act to amend section one of an act entitled "an act relative to the salaries of public officers, and providing the manner of paying the same, and the manner of re-imbursing the State for an increase of salaries," approved March 5, 1859.

Mr. Cook, from the Committee on Rights and Privileges, made the following report:

MR. SPEAKER:

The Committee on Rights and Privileges, to whom was referred House bill No. 129, entitled an act to amend the ninth section of an act entitled "an act to enforce the 13th article of the Constitution," approved June 18th, 1852, have had the same under consideration, and recommend that the further consideration of said bill be indefinitely postponed.

Which was concurred in.

The Speaker announced that he had signed House bills Nos. 89 and 40.

Mr. Stringer, from the Committee on Roads, made the following report:

MR. SPEAKER:

The Committee on Roads, to whom was referred House bill No. 56, have had the same under consideration, and direct me to report said bill back to the House, and recommend that the same do lie upon the table, there being a bill, now engrossed, upon the same subject.

Which was laid on the table.

Mr. Henricks, from the Select Committee on House bill No. 30, made the following report:

MR. SPEAKER:

The Special Committee, to whom was referred House bill No. 30, have had the same under consideration, and have directed me to make the following report: Amend by striking out all after the enacting clause, and insert the following, and when so amended to recommend its passage:

[Report not furnished to Printer by Clerk.]

Mr. Brown moved that the following protest, offered some time since to the House, be entered upon the Journal :

Mr. Newcomb moved to amend by referring said protest to a Select Committee of five.

The amendment was accepted by Mr. Brown.

Mr. Gregory, of Warren, moved the previous question. Which was seconded by the House.

The question being, shall the main question be now put ? It was so ordered.

The question being on the motion of Mr. Brown. It was agreed to.

#### PROTEST OF THE MINORITY.

MR. SPEAKER :

The undersigned, representing the minority upon the floor of the House, beg leave to express their regret at the action of the majority of the House in their attempt to strike down the rights of the minority, and the consequent impending necessary legislation ; and also most respectfully, yet earnestly and solemnly to protest against it. And to this end we beg to submit the following facts :

On the morning of Saturday, February 25th, and while the petitions were being presented, (no other business being in order except by consent of two-thirds of the House,) the gentleman from Jefferson (Mr. Branham,) offered the following resolution :

*Resolved*, That House bills Nos. 176, 153 and 140 be made the special order at 10½ o'clock to-day, (February 25th.)

This resolution, although clearly out of order, was entertained by the Speaker, (Mr. Pettit,) whereupon, objection being made, it was ruled out of order. Shortly afterwards, resolutions, &c., being called for, the same resolution was again offered by the gentleman from Jefferson.

Objection was at once made to it because it was a proposition indirectly to suspend the order of business by a bare majority vote, when, by the rules of the House, it required two thirds. But the objection made and the points of order raised were summarily overruled by the Speaker.

The Rules of the House on this subject are as follows :

“Rule 55. After the House has disposed of the business speci-

fied in Rule 53, the Speaker shall proceed to dispose of the business on his table and the orders of the day in the following manner, viz:

“1st. Messages from the Senate containing amendments proposed by the Senate to bills of the House.

“2d. Bills and resolutions from the Senate on their first and second reading, that they be referred to committees and put under way.

“3d. Engrossed bills, and bills from the Senate on their third reading.

“4th. Bills of the House on their engrossment, or on being ordered to a third reading, shall be taken up and considered in the order of time in which they passed to a second reading.

“Rule 57. Every bill and joint resolution shall be introduced on on the report of a committee, or by motion for leave, and shall be dispatched in the order in which they were introduced, unless when the House shall direct otherwise.

Rule 63. No standing rule or order of the House shall be rescinded or changed without one day's notice being given of the motion thereof. Nor shall any rule be suspended, except by a vote of at least two thirds of the members present. Nor shall the order of business, as established by the rules of the House, be postponed or changed, except by a vote of at least two-thirds of the members present.”

As we have already stated, it was, in effect, a motion to suspend the regular order of business, which as will be observed by rule 63, cannot be done except by a two-thirds vote; and yet this being a mere resolution, it could not be adopted by a bare majority, and thereby it was proposed to accomplish indirectly what could not be done by direct action.

Should the undersigned consent to this it would at once establish a precedent whereby the majority could, at any and all times, set aside any and all measures proposed or introduced by any of the minority, however early it might stand upon the calendar or however meritorious it might be in point of fact; whilst the majority could at any and all times take up and pass any measure, however late it might be on the calendar, or obnoxious to the minority—denying them all time for consideration or legitimate action.

Rules, like constitutions, are made for the protection of minorities, because majorities do not need them, for without them they can always, by force of numbers, protect themselves. We cheerfully concede that minorities have no right (except self defence) to impede

legislation by factious opposition, yet they do have the undoubted right to insist that legislation shall proceed in its legitimate course, and according to the rules prescribed. Says Mr. Onslow, one of the ablest of the speakers of the House of Commons :

“It was a maxim he had often heard when he was a young man, from old and experienced members, that nothing tended more to throw power into the hands of the administration and those who acted with the majority of the House of Commons, than a neglect of, or departure from the rules of proceeding; that these forms as instituted by our ancestors, operated as a check, and controlled the actions of the majority, and that they were in many instances, a shelter and protection to the minority, against the attempts of power.”

Said Mr. Jefferson :

“So far the maxim is certainly true, and is founded in good sense, that as it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents the only weapons by which the minority can defend themselves against similiar attempts from those in power, are the forms and rules of proceeding which have been adopted as they were found necessary from time to time, and are become the law of the House; by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check, and which the wantonness of power is but too often apt to suggest to large and successful majorities.”

And whether these forms be in all cases the most rational or not is really not of so great importance. It is much more material there should be a rule to go by than what that rule is; that there may be a uniformity, a proceeding in business not subject to the caprice of the Speaker or the captiousness of the members. It is very material that order, decency, and regularity be preserved in a dignified public body. (2 Hats. 819; Jefferson's Manual, pages 13 to 14.

But the majority of the House, overlooking the fact that these rules, being in *pari materia*, must, for the purpose of interpretations, be considered together; they therefore refer us to Rule 57 alone, and insist that by the words “unless the House shall direct otherwise,” the whole legislation is at their mercy. Yet, is not its plain meaning, when we consider it in connection with Rule 63, that the House shall not direct otherwise, except pursuant to its rules, which requires a two thirds vote, or (as in the case in Congress,) that where a measure is reached in its order it may be passed over by a majority, and which of itself does not involve a suspension of the order of business. The rule in Congress upon this subject (No. 127,) is precisely the same as Rule 63. [See Jefferson's Manual, page 161.]

And we know of no precedent analagous to the present proposed action of the majority, in the legislation of Congress since the adoption of said rule; nor of any in the legislation of Indiana. But if it is still claimed that rule 57 warrants a different construction, then we insist that it is in conflict with rule 63, which being the last

expressed will of the House whom the subject must govern. But as the majority still insist upon this alleged unnecessary and hurtful proceeding, the only result of which, so far, has been to stop the usual course of legislation, we most respectfully submit that the minority must not—nay, cannot yield. It would be wrongful to themselves, and not permanently advantageous to the present majority.

The undersigned still further protest that it is not now nor has it been their purpose to delay or prevent any rightful or necessary legislation, but simply to defend their inherent and constitutional rights. This was evidenced on five several occasions during last Saturday, and while the obnoxious resolution was pending, where members of the minority asked the unanimous consent of the House to pass it over and take up the appropriation bills, but at each time were defeated by the opposition of gentlemen of the majority—and that, notwithstanding said rebuffs, they are yet willing to renew at any time such proposition or to accede to it as a proposition from the majority.

In conclusion the undersigned beg leave to say that they are now, and indulge the hope that they ever will be, ready and willing to co-operate, with the majority, in all legitimate legislation, and that if it fails, the responsibility must rest, as it should do, with the majority.

J. R. COFFROTH, of Huntington and Whitley,  
 JASON B. BROWN, of Jackson,  
 NEWTON BURWELL of Wells and Blackford,  
 ELIJAH M. SPENCER, of Posey,  
 L. GLAZEBROOK, of Stark and Marshall,  
 O. BIRD of Allen,  
 JOHN M. STUCKEY, of Owen,  
 J. G. HOWARD, of Clark,  
 JOHN LEMON, of Harrison and Washington,  
 JOHN W. LOPP, of Harrison,  
 D. E. CROAN, of Madison,  
 THOMAS HUNT, of Orange,  
 A. J. BECKETT, of Dubois,  
 JOHN M. HUMPHREYS, of Greene,  
 R. OSBORN, of Franklin,  
 C. L. DUNHAM, of Floyd,  
 CHARLES B. LASSELLE, of Cass,  
 A. C. VEACH, of Clay,  
 JOHN RICHARDS, of Brown,  
 JOHN HARGROVE, of Gibson,  
 ROBERT PERIGO, of Warrick,  
 JOHN R. O'BRIEN, of Martin,  
 SAMUEL H. BUSKIRK, of Monroe,  
 JOHN W. RICHARDSON, of Pike,  
 JOHN P. SHOAFF, of Jay,  
 C. J. MILLER, of Clinton,  
 P. N. COLLINS, of Adams.

JOHN B. MILROY, of Carroll,  
 H. L. ROACH, of Fountain,  
 GEO. C. THATCHER, of Shelby and Hancock,  
 JAMES HARRISON, of Shelby,  
 S. A. SHOAFF, of Jay.

Mr. Newcomb, by unanimous consent, offered the following resolution :

WHEREAS, Cyrus L. Dunham, a member of this House, did on this day arise in his place, and proceed to discuss a question which the Speaker decided was not debateable; and whereas said Dunham after said ruling of the Speaker did contumaciously proceed with his remarks, and in consequence thereof, was ordered by the Speaker to take his seat, which said Dunham refused to do, whereupon the Speaker ordered that the proper officers of the House should enforce the order so made by the Speaker; and whereas W. W. Browning, an Assistant Doorkeeper of this House, in obedience to the mandate of the Speaker approached to said Dunham to perform the duty imposed upon him by the order of the Speaker; and whereas said Dunham did violently strike said Browning in the presence of, and within the bar of the House, while the latter was in the discharge of his duty, under the direction of the Speaker, therefore;

*Be it Resolved*, That for the offense aforesaid, Cyrus L. Dunham, be, and he is hereby expelled from this House.

Mr. Newcomb, moved to make the foregoing resolution the special order for the day at 2 o'clock this afternoon.

Mr. Abbett, moved to amend by making the special order for 2 o'clock on Monday next.

Which was not agreed to.

The question being on the motion made by Mr. Newcomb.

Messrs. Coffroth and Brown, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bonner, Branham, Chambers, Church, Cook, Cox, Emerson, Ferris, Foulke, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Henricks, Hershey, Higgins, Hogue, Hoover, James, Johnson, Kilgore, Lane, Lockhart, Miller of Tippecanoe, McVey, Newcomb, Olleman, Reese, Riford, Shuey, Sim, Steward, Stivers, Stringer, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Woods, Wright, and Mr. Speaker—45.

Those who voted in the negative were,

Messes. Abbett, Beckett, Bird, Boyd, Brown, Burnes, Burton, Burwell, Buskirk, Coffroth, Croan, Crook, Glazebrook, Hargrove, Harrison, Hunt, Lasselle, Lee, Lemon, Lopp, Meredith, Miller of Clinton, Milroy, O'Brien, Osborn, Patterson, Perigo, Rice, Richards, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Stenger, Stuckey, Sullivan of Scott, Thatcher and White—37.

So the motion to make the resolution the special order for the day, for this afternoon, was agreed to.

Mr. Brown offered the following resolution :

*Resolved*, That Jamison Lee, the gentleman from Washington, be allowed per diem for the entire term of the present session of the General Assembly of the State of Indiana.

Which was agreed to.

Mr. Shoaff, of Jay, offered the following resolution :

*Resolved*, That each member of House Committee on State Prison be allowed mileage, at the usual rates, for going to and returning from said Prison.

Mr. Gregory, of Warren, moved to include the Committee on Education.

Which was adopted by Mr. Shoaff.

Mr. Higgins moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put ?  
It was agreed to.

The question being on the adoption of the resolution introduced by Mr. Shoaff.

It was agreed to.

By unanimous consent,

House bill No. 19 was taken up, and the engrossed amendments of the Senate thereto were read and concurred in.

Mr. Montgomery was allowed to record his vote in the negative on the passage of Senate bill No. 20, as of yesterday.

By unanimous consent,

House bill No. 15 was taken up, and the engrossed amendments thereto were read and concurred in.

House bill No. 200, "a bill making specific appropriations for the year 1865,"

Was taken up.

Pending the adjournment on last evening, was the amendment offered by Mr. Griffith.

Which was not agreed to.

The amendments reported by the Committee of Ways and Means were read and agreed to.

The Committee of Ways and Means offered the following additional amendments :

Sec. —. That George W. Petts be allowed the sum of \$240, for ice for Legislature in 1865.

Sec. 112. That John C. Dunn be allowed the sum of \$88, for gas pipe and fixtures, for State House, 1865.

Sec. 113. That Speigel, Thoms & Co., be allowed the sum of \$25.50, for stools, tables, &c., for Legislature, session of 1865, and for the sum of \$391, for chairs, stools, &c., for session, 1863.

Sec. 114. That Merrill & Co., be allowed the sum of \$4.75, for books for State Library in 1863.

Sec. 115. That Cox Brandt be allowed the sum of \$9, for writing fluid, 1863.

Sec. 117. That Wm. Braden be allowed the sum of \$102.07, for stationery for Adjutant's General's office in 1863.

Sec. 118. That Wm. Braden be allowed the sum of \$1,144.72, for stationery, for use of Adjutant General's office in 1864.

Sec. 119. That Wm. Braden be allowed the sum of \$565.85, for stationery for use of Adjutant General's office in 1862.

Sec. 120. That Wm. Braden be allowed the sum of \$438.35, for stationery for Adjutant General's office in 1863.

Sec. 121. That Wm. Braden be allowed the sum of \$50.55, for stationery for use of Auditing Committee in 1862.

Sec. 122. That Wm. Braden be allowed the sum of \$25, for stationery per order State Librarian.



Sec. 123. That Wm. Braden be allowed the sum of \$6.55, for ribbon, chisel, mallet, &c., in 1865.

Sec. 124. That Wm. Braden be allowed the sum of \$6.25, for stationery in 1862.

Sec. 125. That Wm. Braden be allowed the sum of \$10.35, for stationery, ribbon, &c., 1865.

Sec. 126. That Wm. Braden be allowed the sum of \$27.02, for stationery for Superintendent Public Instruction, in 1862 and 1863.

Sec. 127. That Wm. Braden be allowed the sum of \$33, for stationery for use of Auditing Committee in 1864.

Sec. 128. That Wm. Braden be allowed the sum of \$488.75, for stationery for Adjutant General, in 1864.

Sec. 129. That Wm. Braden be allowed the sum of \$119.75, for stationery for use of Adjutant General, in 1865.

Sec. 130. That Morrison & Ray be allowed the sum of \$500, for Attorneys' fees, in the case of Mary I. Jamison and others vs. the Institution for the Blind.

Sec. 131. That Henry Crawford be allowed the sum of \$47, for service and mileage in organizing the House of Representatives in 1863.

Sec. 132. That A. P. Whittlesey be allowed the sum of \$66, for service and mileage in organizing the present House of Representatives.

Sec. 133. That Frank Costigan be allowed the sum of \$20, for making a diagram of the House of Representatives during the session of 1863.

Sec. 134. That L. B. Wilson be allowed the sum of \$20, for preparing a diagram of the House of Representatives in 1865.

Sec. 135. That Cyrus T. Nixon and T. W. O. Braffett be allowed the sum of \$200, for indexing Journal, making out titles to bills, superintending printing, &c., each \$100.

Sec. 136. That Peter Wilkins be allowed the sum of \$17.55, for labor during the session of 1865.

Sec. 137. That J. L. Sailors be allowed the sum of \$7.41, for soap, brushes, &c., session of 1865.

Sec. 138. That Tousey, Byram & Co., be allowed the sum of \$13.83, for crash, session of 1865.

Sec. 139. That James G. Douglass be allowed the sum of \$166.50 for binding Indiana Reports in 1861.

Sec. 140. That Hall & Hutchinson be allowed the sum of \$20, for Statutes purchased by State Librarian, session of 1865.

Sec. 141. That Munson & Johnson be allowed the sum of \$72.55, for sundry articles furnished the Adjutant General, for use of his office in 1865.

Sec. 142. That McDonald & Roach be allowed the sum of \$350, for written opinion on question of payment of interest on State debt, and services in Supreme Court.

Sec. 143. That Samuel H. Patterson be allowed the sum of \$300, attorneys' fees in suits with convicts, at the State Prison South.

Sec. —. That E. J. Metzger be allowed the sum of \$92.61, for the Indiana Free Presse, furnished members of the House during the session of 1865, and charged to their stationery allowance.

Sec. —. That Holloway, Douglass & Co. be allowed the sum of \$373, for extra copies of Indiana State Journal, session 1865.

Sec. —. That the Indiana State Sentinel be allowed the sum of \$31.45, for extra papers furnished members of the House, session 1865.

Sec. —. That Bingham & Doughty be allowed the sum of \$16, for State Sentinel furnished soldiers in the field in the year 1861.

Sec. —. That Henry Campbell be allowed the sum of \$94.75, for Indianapolis Gazette, for members of the House, session 1865.

Sec. —. That Brown & Whitehouse be allowed the sum of \$60.50, for materials furnished and work done for Stationery room of the House, session 1865.

Which was agreed to.

Mr. Gregory, of Warren, offered the following amendment:

That John S. Duncan, Speaker's Clerk, be allowed the sum of \$61, in addition to what he has already received.

Which was agreed to.

House bill No. 200 was then ordered to be engrossed.

Mr. Buskirk offered the following amendment :

Sec. —. That A. E. & W. H. Drapier be allowed \$1,500, or so much thereof as will pay one-third of one cent a page per copy, for six hundred copies ; being the usual number of copies furnished for this House every session since 1857, of the Brevier Reports of the debates and proceedings of the present session, an equal number of copies to be sent, by express, to each member of the House, as soon as possible after the adjournment.

Mr. Newcomb moved to amend by making the amount \$1,200, or so much thereof as will pay for six hundred copies.

The amendment of Mr. Buskirk, as amended, was then agreed to.

Mr. Boyd moved to amend by inserting, in the proper place, the following :

“That A. P. Newkirk be allowed the sum of \$25, for organizing the House of Representatives in 1863.”

Which was agreed to.

Mr. Branham offered the following amendment :

“ That the amount of \$981.10 be allowed Samuel L. Rugg, balance due on account.”

Which was agreed to.

Mr. Sullivan, of Scott, moved to include the “ elective officers ” in the amendment offered by Mr. Buskirk, in furnishing the Brevier Reports.

Which was agreed to.

House bill No. 200 was read a third time, and,

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Branham, Buskirk, Chambers, Coffroth, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Warren, Groves, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Johnson, Kilgore, Lane, Lemon, Lockhart, Lopp, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Reese, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Steward, Stenger, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Welch, Whiteside, Willis, Woods, Wright, and Mr. Speaker—70.

Those who voted in the negative were,

Messrs. Burton, Hargrove, Griffith, and Patterson—4.

So the bill passed.

The question being, shall the title, as read, stand as the title of the bill?

It was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Newcomb moved to suspend the order of business, and take up Senate bills on third reading.

Which was agreed to.

Senate bill No. 10, "a bill to amend section 322 of an act entitled "an act to revise, simplify and abridge the rules, pleadings, practice and forms in civil cases in the courts of this State; to abolish distinct forms of action at law; and to provide for the administration of justice in a uniform mode of pleadings and practice, without distinction between law and equity," approved June 18th, 1852,"

Was taken up, and read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bird, Bonner, Boyd, Branham, Burnes, Burton, Chambers, Coffroth, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, Johnson, Kilgore, Lane, Lee, Lemon, Lockhart, Meredith, Miller of Clinton, Miller of Tippecanoe, Milroy, McVey, Newcomb, O'Brien, Osborn, Perigo, Reese, Rhoads, Rice, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Steward, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, Willis, Woodruff, Woods, Wright and Mr. Speaker—73.

Those who voted in the negative were,

Messrs. Beckett and Montgomery—2.

So the bill passed.

The question being, shall the title, as read, stand as the title of the bill?

It was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Engrossed Senate bill No. 14, "a bill to amend an act entitled "an act in relation to County Treasurers," approved June 4, 1856, and declaring an emergency,"

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Beckett, Bonner, Boyd, Branham, Burnes, Burton, Burwell, Buskirk, Chambers, Coffroth, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, James, Johnson, Lane, Lee, Lemon, Lockhart, Lopp, Meredith, Miller of Tippecanoe, Milroy, McVey, Montgomery, Newcomb, O'Brien, Osborn, Patterson, Perigo, Reese, Rhoads, Rice, Richards, Richardson, Riford, Sabin, Shoaff of Jay, Shuey, Sim, Steward, Stringer, Stuckey, Sullivan of Scott, Thatcher, Upson, Veach, Welch, Woodruff, Woods, Wright and Mr. Speaker—74.

None voting in the negative.

So the bill passed.

The question being, shall the title, as reported, stand as the title of said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate thereof.

Senate Joint Resolution No. 11, "a Joint Resolution requesting the Governor to appoint a suitable person to correct the Swamp Land books of the State of Indiana, in the office of the Auditor of State."

Was read a third time, and,

The question being, shall the Joint Resolution pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bonner, Boyd, Burnes, Burton, Buskirk, Chambers, Coffroth, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory

of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Hargrove, Henricks, Hershey, Hogate, Hoover, Howard, Hunt, James, Johnson, Kilgore, Lane, Lasselle, Lee, Lemon, Lockhart, Meredith, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Osborn, Patterson, Perigo, Reese, Rhoads, Rice, Richards, Richardson, Riford, Sabin, Shoaff of Jay, Shuey, Steward, Stringer, Stuckey, Sullivan of Scott, Thatcher, Upson, Veach, Welch, Willis, Woodruff, Woods, Wright and Mr. Speaker—73.

None voting in the negative.

The question being, shall the title, as read, stand as the title to said resolution?

It was agreed to.

*Ordered*, That the Clerk inform the Senate thereof.

Senate bill No. 65 was taken up and read a third time.

Mr. Miller, of Tippecanoe, moved that said bill be laid on the table. Which was agreed to.

Senate Joint Resolution No. 2, "a Joint Resolution, proposing an amendment to article eight of the Constitution, so as to enable cities and towns to levy taxes for the support of Common Schools,"

Was read a third time.

The question being, shall the Joint Resolution pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Branham, Cook, Cox, Crook, Emerson, Ferris, Goodman, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lockhart, Meredith, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Steward, Stringer, Trusler, Upson, Willis and Woods—41.

Those who voted in the negative were,

Messrs. Abbett, Banta, Beckett, Burnes, Burton, Buskirk, Chambers, Coffroth, Glazebrook, Gregg, Griffith, Hargrove, Harrison, Howard, Hunt, Lee, Lemon, Lasselle, Lopp, Milroy, O'Brien, Osborn, Patterson, Perigo, Richardson, Shoaff of Jay, Stuckey, Thatcher, Welch and Wright—31.

So Senate Joint Resolution No. 2 failed to pass.

Senate Joint Resolution No. 3, being next in order, the same was taken up.

Mr. Newcomb moved to lay the Joint Resolution on the table.  
Which was agreed to.

Engrossed Senate bill No. 68, "an act to change the name of the Terre Haute and Richmond Railroad Company, and to give further time for the completion of the line of said road from Terre Haute to a point on the western line of the State of Indiana,"

Was taken up and read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bonner, Branham, Burnes, Burton, Buskirk, Chambers, Coffroth, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, Johnson, Kilgore, Lane, Lasselle, Lemor, Lockhart, Lopp, Meredith, Miller of Tippecanoe, Milroy, Mont, the mery, McVey, Newcomb, O'Brien, Osborn, Reese, Rice, Richardson, Riford, Roach, Sabin, Shuey, Sim, Steward, Stringer, Stuckey, Trusler, Upson, Welch, Whiteside, Willis, Woodruff, Wright and Mr. Speaker—69.

None voting in the negative.

So the bill passed.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Engrossed Senate bill No. 63, "a bill prohibiting Circuit or Common Pleas Judges, County Clerks, Auditors, Recorders, Treasurers, Sheriffs, or any deputy of either of them, from practicing law in any court of this State, and prescribing punishment for the violation of the same,"

Being next in order,

Mr. Higgins moved that the House adjourn.  
Which was agreed to.

2 O'CLOCK, P. M.

The House met.

Mr. Abbett offered the following resolution :

*Resolved*, That James Russell, Robert Morrow, James Phillips and Peter Wilkins, firemen for the House during the present session, be allowed thirty-one dollars each, in addition to what has been already allowed, for services for thirty-one nights during this session.

Which was agreed to.

Mr. Sim offered the following resolution :

*Resolved*, That A. J. Cagstater, Stationery Clerk, W. M. Dougherty and Wm. H. Burdett, assistants, each be allowed the sum of one dollar per day extra, the same as allowed other clerks.

Messrs. Branham and ——— demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Beckett, Bird, Boyd, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Ferris, Goodman, Gregg, Griffith, Hamrick, Harrison, Hogate, Hoover, Howard, James, Kilgore, Lemon, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, Perigo, Reese, Shoaff of Allen, Sim, Stenger, Stuckey, Sullivan of Scott, Thatcher, Upson, Veach, White and Willis—38.

Those who voted in the negative were,

Messrs. Atkinson, Banta, Branham, Cox, Foulke, Glazebrook, Groves, Henricks, Hershey, Higgins, Hunt, Johnson, Lane, Lasselle, Lockhart, Lopp, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Rhoads, Rice, Richards, Riford, Shuey, Woodruff, Woods, Wright and Mr. Speaker—32.

So the resolution was agreed to.

Mr. Cox, offered the following resolution :

*Resolved*, That Martin Farmer be allowed one dollar per day for every day actually employed in taking care of room used and occupied by Committee of Ways and Means, during the present session



of the Legislature, to be paid upon the certificate of the Chairman of said Committee.

Which was agreed to.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER :

I am directed to transmit to the House, for the signature of the Speaker thereof, the following enrolled act of the Senate.

Enrolled Senate Act No. 195. "An act to legalize and declare valid and effectual all the orders, judgments and other proceedings made, rendered, and had, by and before the Court of Common Pleas of Dearborn county, in this State, held in the Court House, of said county, in the month of February, in the year 1865, and then and there before the several judges of said Court."

#### SPECIAL ORDER FOR THE DAY.

The special order for the day was the resolution offered by Mr. Newcomb, for the expulsion of Mr. Dunham.

Mr. James, moved that said resolution be indefinitely postponed.

Messrs. Bonner and Olleman demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Beckett, Bird, Brown, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Croan, Ferris, Goodman, Glazebrook, Gregg, Gregory of Warren, Griffith, Hamrick, Hargrove, Harrison, Henricks, Higgins, Hoover, Howard, Hunt, James, Johnson, Kilgore, Lane, Lasselle, Lee, Lemon, Lockhart, Lopp, Miller of Clinton, Milroy, Montgomery, O'Brien, Osborn, Patterson, Perigo, Reese, Rice, Richards, Richardson, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Stenger, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upton, Veach, White and Woodruff—59.

Those who voted in the negative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burnes, Cox, Crook, Foulke, Gregory of Montgomery, Groves, Hershey, Hogate, Miller of Tippecanoe, McVey, Newcomb, Olleman, Rhoads, Riford, Shuey, Sim, Steward, Stringer, Willis, Woods, Wright and Mr. Speaker—26.

So the resolution was indefinitely postponed.

The resolution being indefinitely postponed, Mr. Dunham apologised to the House for a breach of decorum, and to the Doorkeeper for his rudeness.

Pending the adjournment, Senate bill, No. 63 was under consideration.

The same was taken up.

Mr. Buskirk, moved to strike out the second section of the amendment, and insert after the word "Circuit," these words: "or Common Pleas."

Mr. Gregory, moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?  
It was so ordered.

The question being on the motion made by Mr. Buskirk.  
It was agreed to.

Engrossed Senate bill No. 63. A bill prohibiting Circuit or Common Pleas Judges, County Clerks, Auditors, Recorders, Treasurers, Sheriffs, or any deputy of either of them, from practicing law in any Court of this State and prescribing punishment for the violation of the same.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bird, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Harrison, Henricks, Hershey, Hogate, Hoover, Howard, James, Johnson, Kilgore, Lane, Lockhart, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Perigo, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Steward, Stenger, Thatcher, Trusler, Upson, Veach, White, Willis, Woodruff, Woods and Mr. Speaker—65.

Those who voted in the negative were,

Messrs. Abbett, Beckett, Bonner, Hargrove, Higgins, Hunt, Lem-

on, O'Brien, Osborn, Patterson, Stringer, Stuckey, Sullivan of Scott and Wright—14.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Higgins, offered the following resolution:

*Resolved*, That the Committee of Ways and Means, be authorized to examine the Bank Department of the Auditor of State Office and to cancel the vouchers in the Auditor's and Treasurer's office after the adjournment of the Legislature.

Which was agreed to.

Senate bill No. 101, was taken, up and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Banta, Beckett, Bird, Brown, Burnes, Burwell, Buskirk, Coffroth, Croan, Dunham, Goodman, Griffith, Hamrick, Hargrove, Harrison, Hogate, Howard, Hunt, Johnson, Lemon, Lockhart, Lopp, Miller of Clinton, Montgomery, McVey, Newcomb, Richardson, Riford, Sabin, Shoaff of Jay, Stenger, Sullivan of Scott, Trusler, Veach, Welch and White—37.

Those who voted in the negative were,

Messrs. Atkinson, Boyd, Burton, Chambers, Church, Cook, Cox, Ferris, Foulke, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Groves, Henricks, Hershey, Higgins, Hoover, James, Kilgore, Lane, Miller of Tippecanoe, O'Brien, Osborn, Patterson, Perigo, Reese, Rhoads, Richards, Roach, Shuey, Sim, Steward, Stivers, Stringer, Stuckey, Thatcher, Upson, Woodruff, Woods, Wright and Mr. Speaker—43.

So the bill did not pass.

The Speaker announced that he had signed Senate bill No. 195.

Engrossed Senate bill 173, was taken up. A bill to enable the

Boards of Incorporated towns to authorize the use of portions of streets for shade and ornamental purposes.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Burnes, Burton, Buskirk, Church, Coffroth, Cook, Cox, Crook, Ferris, Foulke, Goodman, Gregg, Gregory of Warren, Griffith, Hamrick, Harrison, Henricks, Hershey, Higgins, Hoover, Hunt, James, Johnson, Kilgore, Lemon, Lockhart, Lopp, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Osborn, Perigo, Reese, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Steward, Stenger, Stuckey, Sullivan of Scott, Thatcher, Upson, Veach, Welch, White, Woodruff and Wright—61.

Those who voted in the negative were,

Messrs. Burwell, Glazebrook, Gregory of Montgomery, Hargrove, Hogate, Lane, Patterson, Richards and Stringer—9.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill.

It was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Rhoads, from the Joint Committee on Enrolled bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled bills respectfully report that they have examined enrolled act No. 15, House of Representatives, and have found the same in all respects correctly and properly enrolled.

Senate bill No. 100. A bill fixing the compensation of Township Assessors.

Was taken up and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Beckett, Bird, Bonner, Branham, Brown, Burnes, Burton, Burwell, Church, Coffroth, Cook, Cox, Emerson, Ferris, Foulke, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, James, Lemon, Lockhart, Lopp, Miller of Tippecanoe, Milroy, McVey, Osborn, Patterson, Perigo, Reese, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Jay, Shuey, Stenger, Stivers, Stuckey, Upson, Veach, Welch, White, Woodruff, Woods, Wright and Mr. Speaker—61.

Those who voted in the negative were,

Messrs. Banta, Glazebrook, Hamrick, Johnson, Lane, Montgomery, O'Brien and Stringer—8.

So the bill passed.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill?

House bill No. 27. A bill to legalize the acknowledgements of all deeds, mortgages and other instruments, required to be recorded, taken and certified by Notaries Public, who took and certified such acknowledgments after the expiration of their commissions.

Was taken up, and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Beckett, Bonner, Boyd, Branham, Burnes, Burwell, Coffroth, Cook, Cox, Crook, Emerson, Ferris, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Johnson, Kilgore, Lane, Lemon, Lockhart, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Osborn, Patterson, Perigo, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Shoaff of Jay, Shuey, Sim, Stenger, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher, Upson, Veach, White, Woodruff, Woods, Wright and Mr. Speaker—66.

Those who voted in the negative were,

Messrs. Bird, Brown, Burton and Sabin—4.

The question being, shall the title, as read, stand as the title to said bill?

It was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Senate bill No. 150. A bill to amend sections 7, 9 and 20, of an act to provide against the consequences ensuing, or likely to ensue, from the destruction of books, pamphlets, papers, records, or other writings, of any county in this State, any Circuit, Probate, Commissioners, or other inferior Courts of Record, therein, or filed within or in the legal custody of any officer of any county in this State, and to provide for the perpetuation of testimony relative to the same, and requiring new official bonds to be given in case where the bonds of officers, executors, administrators and guardians have been destroyed, approved Jan. 12th, 1852.

Was taken up, and read a first time

Mr. Johnson, moved that it be deemed expedient to suspend the Constitutional rule, that said bill may be read a second and third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Boyd, Branham, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Cook; Cox, Croan, Crook, Ferris, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Johnson, Kilgore, Lane, Lockhart, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Osborn, Patterson, Perigo, Reese, Rice, Richards, Richardson, Riford, Shuey, Sim, Steward, Stenger, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Woodruff and Wright—70.

So it was deemed expedient to suspend the Constitutional rule, and said bill was read a second time by its title.

Mr. Newcomb moved that said bill be read a third time now.  
Which was agreed to.

So Senate bill No. 150 was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bonner, Boyd, Branham, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Emerson, Ferris, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Johnson, Kilgore, Lane, Lockhart, Lopp, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Reese, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Steward, Stenger, Stringer, Stuckey, Sullivan of Scott, Thatcher, Veach, Welch, White, Willis, Woodruff and Mr. Speaker  
—70.

None voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title of the bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Message from the Senate by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am requested by the Senate to return to the House, Enrolled Act of the House, No. 140—"an act ratifying the action of the Governor in settling and discharging the State's quota of the direct tax, and authorizing him to settle all unsettled claims of the State against the United States," which has been signed by the President of the Senate.

I am also requested to inform the House that the Senate has passed the following engrossed bills of the House, to-wit:

Engrossed House bill No. 178. An act to provide for a general system of Common Schools, the officers thereof, and their respective duties and powers, and matters properly connected therewith, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith;" which engrossed act has passed the Senate without amendment.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am requested by the Senate to report to the House Enrolled Act of the House No. 89—"an act to allow cities and towns to permit the location of railroads on the streets and alleys, for the purpose of conveying coal into and through said cities and towns," which has been signed by the President of the Senate.

Message from the Governor by Mr. Sulgrove, his Private Secretary.

MR. SPEAKER:

I am directed by His Excellency, the Governor, to inform your honorable body that he has approved and signed House bill No. 14, entitled "an act for the relief of the families of soldiers, seamen and marines, and sick and wounded Indiana soldiers in hospitals in the State and United States' service, and of those who have died or been disabled in such service, and prescribing the duties of certain officers therein named;" also, that the same has been deposited in the office of the Secretary of State.

Engrossed Senate bill No. 135. A bill to amend the 71st section of an act entitled "an act granting to the citizens of Evansville, in the county of Vanderburg, a city charter," approved January 27th, 1847, and to add supplemental sections to said act,

Was taken up.

Mr. Branham moved that it be deemed expedient to suspend the Constitutional rule requiring the reading of bills on three several days, and that Senate bill No. 135 be read a second time by its title, and a third time by sections.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Abbott, Atkinson, Banta, Beckett, Bonner, Boyd, Branham, Burnes, Burwell, Buskirk, Chambers, Cook, Cox, Croan, Crook, Ferris, Foulke, Goodman, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, James, Johnson, Kilgore, Lane, Lemon, Lockhart, Lopp, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Patterson, Perigo, Reese, Rhoads, Rice, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Steward, Stenger, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, White, Willis, Woodruff, Woods, Wright and Mr. Speaker—71.

None voting in the negative.



So it was deemed expedient to suspend the Constitutional rule, and Senate bill No. 135, was read a second time by its title, and a third time by sections.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bonner, Boyd, Branham, Brown, Burnes, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Henricks, Hershey, Hoover, Howard, James, Johnson, Kilgore, Lockhart, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Osborn, Perigo, Reese, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Steward, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Willis, Woodruff, Woods, Wright and Mr. Speaker—65.

Those who voted in the negative were,

Messrs. Bird, Burton, Lane and Lemon—4.

The question being, shall the title, as read, stand as the title of the bill.

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

The Speaker announced that he had signed enrolled House bill No 15.

By unanimous consent,

Engrossed Senate bill No. 193, "a bill to amend sections four and eight of an act entitled "an act to incorporate the town of Knightstown, in Henry county, in the State of Indiana," approved February 2d, 1837,"

Was taken up.

Mr. Brown moved that it be deemed expedient to suspend the Constitutional rule, requiring the reading of bills on three several days, and that the bill be read a second and third time now.

The ayes and noes were taken under the Constitution.

H. J.—52

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Dunham, Ferris, Foulke, Goodman, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hogate, Howard, Hunt, James, Johnson, Kilgore, Lane, Lockhart, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Osborn, Patterson, Perigo, Reese, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Steward, Stringer, Stuckey, Sullivan of Scott, Trusler, Upson, Veach, Welch, Willis, Woodruff, Woods, Wright and Mr. Speaker—70.

Those who voted in the negative were,

Messrs. Glazebrook, Harrison, and Lemon—3.

So it was deemed expedient to suspend said Constitutional rule, and engrossed Senate bill No. 193 was read a second and a third time now.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hogate, Humphreys, Hunt, James, Johnson, Kilgore, Lane, Lemon, Lockhart, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Reese, Rhoads, Rice, Richardson, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stuckey, Sullivan of Scott, Trusler, Veach, Welch, Willis, Woods, Wright and Mr. Speaker—68.

Mr. Stringer voting in the negative.

The question being, shall the title, as read, stand as the title of the bill?

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

Senate bill No. 133, "a bill fixing the time of holding the courts in the Third Judicial Circuit,

Was taken up.

Mr. Beckett moved that it be deemed expedient to suspend the Constitutional rule, requiring bills to be read on three several days, so that said bill may be read a second and third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Beckett, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregory of Warren, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, James, Johnson, Kilgore, Lane, Lemon, Lockhart, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Reese, Rhoads, Rice, Richardson, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, Willis, Woodruff, Woods, Wright, and Mr. Speaker—67.

Mr. Bird voting in the negative.

So it was deemed expedient to suspend said Constitutional rule, and Senate bill No. 133 was read a second and third time, and,

The question being, shall the bill pass?

Messrs. Abbett, Atkinson, Beckett, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burton, Chambers, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Warren, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, James, Kilgore, Lane, Lemon, Lockhart, Lopp, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Osborn, Perigo, Reese, Rhoads, Rice, Richardson, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stringer, Stuckey, Sullivan of Scott, Trusler, Upson, Veach, Welch, Woods, Wright and Mr. Speaker—67.

None voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Montgomery, from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER :

The Joint Committee on Enrolled Bills would report that they have carefully compared Enrolled Bill of the House No. 89, with the engrossed copy, and find the same correctly enrolled, and that they presented the same to the Governor for his approval this, the 4th day of March, at half-past 5 P. M.

Mr. Montgomery, from the Joint Committee on Enrolled Bills, made the following report :

MR. SPEAKER :

The Joint Committee on Enrolled Bills would respectfully report that they have carefully compared Enrolled Bill of the House, No. 19, with the engrossed copy thereof, and find that the same is, in all respects, correctly enrolled.

Mr. Rhoads, from the Joint Committee on Enrolled Bills, made the following report :

MR. SPEAKER :

The Joint Committee on Enrolled Bills respectfully report that they have carefully compared Enrolled Act No. 140, (House of Representatives, with the engrossed copy thereof, and have found the same, in all respects, correctly enrolled ; and that they presented the same to His Excellency, O. P. Morton, Governor of the State, for his approval and signature, March —, 1865, at 5 o'clock, P. M.

The Speaker announced that he had signed House bill No. 19.

Senate bill No. 143, " a bill to amend the 2d, 6th and 7th sections of an act entitled " an act concerning the organization of voluntary associations, and repealing former laws in reference thereto," approved February 12th, 1855,"

Was taken up.

Mr. Brown moved that it be deemed expedient to suspend the Constitutional rule, requiring bills to be read on three several days, and that said bill be read a second and third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Branham, Brown, Burton, Buskirk, Chambers, Coffroth, Cook, Cox, Croan,

Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Warren, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Howard, Hunt, Johnson, Lemon, Lockhart, Miller of Clinton, Milroy, Montgomery, McVey, Newcomb, O'Brien, Osborn, Perigo, Reese, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Steward, Stenger, Stringer, Stuckey, Sullivan of Scott, Trusler, Upson, Veach, Welch, White, Willis, Woods, Wright and Mr. Speaker—67.

So it was deemed expedient to suspend said Constitutional rule, and Senate bill No. 143 was read a second and third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Banta, Beckett, Bird, Bonner, Boyd, Branham, Brown, Burton, Burwell, Buskirk, Chambers, Coffroth, Cook, Cox, Croan, Ferris, Goodman, Glazebrook, Gregg, Gregory of Warren, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, James, Johnson, Kilgore, Lane, Lasselle, Lemon, Lockhart, Lopp, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Osborn, Perigo, Reese, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Steward, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, White, Willis, Woods, Wright and Mr. Speaker—73.

None voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title of the bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Hamrick, moved that when the House adjourn, it be till 7½ o'clock this P. M.

Which was agreed to.

On motion by Mr. Griffith.

Engrossed Senate bill no. 110. A bill entitled "an act to provide for the clothing and other personal expenses of the pupils, of the Benevolent Institutions of the State, to provide the manner of their

removal to and from said Institutions, in certain cases therein specified, and the manner of collecting the expenses therefor."

Was taken up.

Mr. Griffith, moved that it be deemed expedient to suspend the Constitutional rule requiring the reading of bills on three several days, and that said bill be read a third time now.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Branham, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Dunham, Ferris, Foulke, Goodman, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Hogate, Higgins, Hoover, Howard, Hunt, James, Johnson, Kilgore, Lane, Lasselle, Lemon, Lockhart, Lopp, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Osborn, Perigo, Reese, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Steward, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Woodruff, Wright and Mr. Speaker—72.

Those who voted in the negative were,

Messrs. Croan and Glazebrook.

So it was deemed expedient to suspend the Constitutional rule and engrossed Senate bill No. 110, was read a second and third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Banta, Bird, Bonner, Boyd, Branham, Burnes, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Dunham, Ferris, Foulke, Goodman, Glazebrook, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Higgins, Hogate, Hoover, Hunt, James, Johnson, Kilgore, Lane, Lasselle, Lemon, Lockhart, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Osborn, Reese, Rhoads, Rice, Richardson, Riford, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Steward, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, Willis, Woodruff, Woods, Wright and Mr. Speaker—67.

None voting in the negative.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Coffroth,

Engrossed Senate bill No. 158. A bill in relation to the sale of real estate by executors, administrators and guardians, in certain cases.

Was taken up.

Mr. Coffroth, moved that it be deemed expedient to suspend the Constitutional rule requiring the reading of bills on three several days, and that the bill be read a first, second and third time, now.

Those who voted in the affirmative were,

Messrs. Abbott, Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Dunham, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Hogate, Hoover, Howard, Hunt, James, Johnson, Kilgore, Lane, Lasselle, Lemon, Lockhart, Lopp, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Reese, Rhoads, Rice, Richardson, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Steward, Stuckey, Thatcher, Trusler, Upson, Welch, Willis, Woods, Wright and Mr. Speaker—71.

Mr. Stringer voting in the negative.

So it was deemed expedient to suspend the Constitutional rule and Engrossed Senate bill No. 158, was read a first, second and third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Beckett, Bird, Branham, Burnes, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Dunham, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Hogate, Hoover, Howard, Hunt, James, Johnson, Kilgore, Lane, Lasselle, Lemon, Lockhart, Lopp, Miller of Clinton, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Osborn, Perigo, Reese, Rhoads, Rice, Richardson, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Steward, Stringer, Stuckey, Thatcher, Trusler, Upson, Veach, Welch, Willis, Woods, Wright and Mr. Speaker—69.

None voting in the negative.

The question being, shall the title, as read, stand as the title of the bill?

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Rhoads, from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills, respectfully report that they have examined Enrolled act No. 15, House of Representatives, and have found it in all respects correctly and properly enrolled, and that they presented the same to His Excellency O. P. Morton, Governor of the State, for his approval and signature March 4th, at 8:30 o'clock P. M.

By unanimous consent,

Senate bill No. 119. A bill accepting the provisions of an act of the Congress of the United States of America, entitled "an act donating lands to the several States and Territories, which may provide Colleges for the benefit of Agriculture, and the mechanic arts, and providing for the receipt, investment and management of said donation."

Was taken up.

Mr. Pettit, moved that it be deemed expedient to suspend the Constitutional rule requiring the reading of bills on three several days, and that said bill be read a second and third time now.

Those who voted in the affirmative were,

Messrs. Banta, Beckett, Bird, Branham, Burnes, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Dunham, Emerson, Ferris, Foulke, Goodman, Glazebrook Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, James, Johnson, Kilgore, Lane, Lasselle, Lemon, Lockhart, Lopp, Milroy, Montgomery, McVey, Newcomb, Osborn, Perigo, Reese, Rice, Richardson, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Steward, Stringer, Stuckey, Sullivan of Scott, Thatcher, Upson, Welch, White, Willis, Woods, Wright and Mr. Speaker—67.

None voting in the negative.



So it was deemed expedient to suspend the Constitutional rule and Engrossed Senate bill No. 119, was read a second time.

The question being, shall the bill be read a third time now?

It was so ordered, and,  
Senate bill 119 was read a third time.

The question being, shall the bill pass?

Mr. Miller, of Tippecanoe, moved that the House do now adjourn.  
Which was agreed to.

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7½ O'CLOCK, P. M.

The House met.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Abbett, Banta, Beckett, Bonner, Bird, Branham, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, James, Johnson, Lasselle, Lockhart, Lopp, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Reese, Rhoads, Rice, Richards, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Stringer, Stuckey, Thatcher, Trusler, Upson, Veach, Welch, Willis, Woodruff, Woods, Wright and Mr. Speaker—67.

The further proceedings under the call were dispensed with.

Pending adjournment, the question being, shall Senate bill, No. 119 pass?

Those who voted in the affirmative were,

Messrs. Abbett, Banta, Bird, Bonner, Branham, Brown, Burnes, Burwell, Buskirk, Chambers, Church, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Har-

rison, Henricks, Hershey, Higgins, Hogate, Howard, James, Johnson, Kilgore, Lane, Lasselle, Lockhart, Lopp, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Reese, Rice, Richards, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Stringer, Stuckey, Trusler, Upson, Welch, Willis, Woodruff, Woods, Wright and Mr. Speaker—64.

Those who voted in the negative were,

Messrs. Coffroth, Thatcher and White—3.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Buskirk moved to reconsider the vote whereby Senate bill, No. 101 was defeated.

Which was agreed to.

Mr. Buskirk, by unanimous consent, offered the following amendment to said bill:

Add, after the word "him," in line 57, these words: "After the same is published." Amend by striking out all after the word "ever," in line 60, to the word "importance," in line 67.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Banta, Bird, Bonner, Branharn, Brown, Burnes, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, James, Johnson, Kilgore, Lasselle, Lockhart, Lopp, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Reese, Rhoads, Rice, Richards, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Stivers, Stuckey, Thatcher, Trusler, Upson, Welch, White, Willis, Woodruff, Woods, Wright and Mr. Speaker—68.

Mr. Stringer voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Message from the Senate by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am requested by the Senate to report that the following Enrolled Acts of the House, have been signed by the President of the Senate, to-wit:

Enrolled Act of the House No. 15. "An act authorizing Supervisors of roads to remove fences standing near public highways, on streams and water courses, and to turn public roads and highways, on water courses to the rear of buildings, where such buildings stand too near the stream to give room for said roads or highways, and assess damages for losses occasioned thereby."

Enrolled Act of the House No. 19. An act to amend an act entitled an act in relation to witnesses, and to repeal section 238 of article 13, of the act entitled "an act to revise, simplify and abridge the rules, practice, pleading and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18th, 1852, and to repeal all laws inconsistent therewith, and providing when the act shall take effect and be in force," which took effect and went into force March 17th, 1861.

I am also directed to inform the House that the Senate has passed the following Engrossed bill of the House, without amendment, to-wit:

Engrossed House bill No 202. A bill to fix the times of holding the Common Pleas Courts in Grant county, and to repeal all laws inconsistent herewith.

Mr. Branham moved to take up Senate bill No. 68.

Which was agreed to.

Senate bill No. 68. A bill to change the name of the Terre Haute and Richmond Railroad Company, and to give further time for the completion of the line of said road from Terre Haute to a point on the western line of the State of Indiana.

Mr. Branham moved that it be deemed expedient to suspend the

Constitutional rule requiring the reading of bills on three several days, that said bill may be read a second and a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Abbett, Banta, Branham, Brown, Burnes, Burton, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, James, Johnson, Kilgore, Lasselle, Lockhart, Lopp, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Reese, Rhoads, Rice, Richards, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Stivers, Stuckey, Thatcher, Trusler, Upson, Veach, Welch, White, Willis, Woodruff, Woods, Wright and Mr. Speaker—75.

Those who voted in the negative were,

Messrs. Bird and Burwell—2.

So it was deemed expedient to suspend the said Constitutional rule, and Senate bill No. 68 was read a second and third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Banta, Branham, Burnes, Burton, Buskirk, Chambers, Church, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, James, Johnson, Kilgore, Lasselle, Lockhart, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Reese, Rhoads, Rice, Richards, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Stivers, Stringer, Stuckey, Thatcher, Trusler, Upson, Veach, Welch, White, Willis, Woodruff, Woods, Wright and Mr. Speaker—63.

Those who voted in the negative were,

Messrs. Bird, Brown, Burwell, and Coffroth—3.

So the bill passed.

The question being, shall the title, as reported, stand as the title of said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

By unanimous consent,  
Mr. Sim offered the following resolution :

*Resolved*, That A. W. Stringer, G. W. Busly, A. D. Elkins, W. W. Browning, Assistant Door-keepers, and G. W. Douglass, Mail Messenger, and A. C. Cockrall, Folder in the Stationery room, be each allowed the sum of one dollar per day extra, in addition to that already allowed.

Which,

On motion by Mr. Branham,  
Was laid on the table.

By unanimous consent,  
Mr. Shoaff, of Allen, offered the following resolution :

*Resolved*, That the Secretary of State be, and he is hereby empowered and directed to cause to be printed House bill No. 8, known as the Dog law, and that he send to the several County Auditors a number thereof sufficient to supply the Township Trustees and Assessors, to the end that the Assessors may perform the duties required of them by said act.

Which, on motion, was adopted.

The Speaker laid before the House the following communication from Mr. A. J. Castater, Stationery Clerk :

MR. SPEAKER :

I have the honor to submit the following report, showing the amount of stationery drawn by each member and elective officer of the House :

Abbett .....	\$1 45	Colover .....	\$12 95
Atkinson .....	29 01	Cook.....	20 40
Banta .....	12 27	Cox .....	5 21
Beckett .....	11 10	Croan .....	5 35
Bird .....	1 74	Crook .....	8 57
Bonner .....	11 75	Dunham .....	4 98
Boyd .....	23 44	Emerson .....	40 26
Branham .....	42 01	Ferris.....	35 20
Brown .....		Foulke .....	7 14
Burnes .....	10 00	Goodman .....	7 36
Burton .....		Glazebrook .....	2 84
Burwell ....	5 49	Gregg .....	11 04
Buskirk.....	14 90	Gregory of Montgomery..	32 54
Chambers.....	22 98	Gregory of Warren .....	13 16
Church .....	21 87	Griffith.....	45 59
Coffroth.....	14 68	Groves .....	16 16
Collins .....	10 00	Hamrick.....	1 83

Hargrove.....	\$16 70	Rice .....	35 85
Harrison .....	6 51	Richards .....	30
Henricks .....	2 10	Richardson .....	9 97
Hershey .....	9 02	Riford .....	10 86
Higgins .....	14 33	Roach.....	34 52
Hogate.....	21 00	Sabin.....	5 22
Hoover.....	11 33	Shaffer .....	
Howard.....	3 60	Shoaff, of Allen.....	45
Humphreys .....	11 93	Shoaff, of Jay .....	9 75
Hunt .....	1 45	Shuey.....	14 23
James.....	5 62	Sim .....	24 41
Johnson.....	5 92	Spencer.....	4 43
Kilgore .....	16 45	Steward .....	8 75
Lane.....	8 64	Stenger .....	7 50
Lasselle .....	18 54	Stivers .....	17 42
Lee.....	1 04	Stringer .....	41 01
Lemon .....	3 77	Stuckey.....	12 06
Lockhart .....	7 64	Sullivan, of Scott.....	1 25
Lopp .....	5 86	Sullivan, of Posey and V. ....	4 70
Major .....	14 24	Thatcher .....	6 65
Meredith .....	14 92	Trusler .....	12 80
Miller of Clinton.....	70	Upson .....	5 64
Miller of Tippecanoe.....	14 32	Veach.....	6 51
Milroy... ..	3 95	Welch .....	10 64
Montgomery.....	35 13	White .....	5 45
McVey.....	23 48	Whiteside .....	10 10
Newcomb .....	17 12	Willis .....	11 92
O'Brien.....	6 44	Woodruff.....	6 17
Olleman .....	12 43	Woods.....	31 10
Osborn .....	5 07	Wright .....	9 89
Patterson .....	9 22	Zeigler .....	15 73
Perigo .....	10 40	Mr. Speaker.....	26 49
Prather .....	10 75	Nixon.....	10 00
Puett .....	29 72	Braffett .....	2 65
Reese .....	25 12	Dooley .....	4 57
Rhoads.....	20 92		

The Speaker also laid before the House the following communication, from Mr. A. J. Castater, Stationery Clerk :

MR. SPEAKER :

In accordance with a resolution of this date, I have the honor to submit the following report of the amount of stationery drawn by the Committees of the House :

Committee on Elections.....	\$22 59
“ Ways and Means.....	10 99
“ Judiciary .....	6 00

Committee on Organization of Courts.....	\$21	86
“ Banks.....		
“ Education .....	31	53
“ State Prison North .....	13	08
“ State Prison South.....		
“ Swamp Lands.....	6	26
“ Military Affairs.....	3	12
“ Claims.....	14	95
“ Fees and Salaries.....	1	80
“ Sinking Fund. ....	15	54
“ Rights and Privileges.....	35	33
“ Railroads .....	11	50
“ Roads.....	23	38
“ County and Township Business.....	25	73
“ Temperance.....	4	49
“ Corporations.....	47	03
“ Public Expenditures .....	14	25
“ State Library. ....	24	22
“ Engrossed Bills .....	12	95
Special Committees .....	9	75

By unanimous consent,

Engrossed Senate bill No. 181. A bill to amend section one of an act entitled “an act to incorporate the Trustees of the Indiana Female College, approved February 13th, 1861.”

Was taken up.

Mr. Newcomb, moved that it be deemed expedient to suspend the Constitutional rule, requiring the reading of bills on three several days and that said bill may be read a second time by its title, and a third time by sections.

Those who voted in the affirmative were,

Messrs. Abbett, Banta, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Hogate, Hoover, Howard, James, Johnson, Kilgore, Lasselle, Lockhart, Lopp, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Reese, Rhoads, Rice, Richards, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Steward, Stivers, Stringer, Stuckey, Thatcher, Trusler, Upson, Veach, Welch, White, Willis, Woods, Wright and Mr. Speaker—71.

None voting in the negative.

So it was deemed expedient to suspend the Constitutional rule, and Engrossed Senate bill No. 181, was read a second time by its title, and a third time by sections.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Banta, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Gregory of Moutgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, James, Johnson, Kilgore, Lockhart, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Reese, Rhoads, Rice, Richards, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Steward, Stivers, Stringer, Stuckey, Thatcher, Trusler, Upson, Veach, Welch, White, Willis, Woods, Wright and Mr. Speaker—67.

None voting in the negative.

The question being, shall the title, as read, stand as the title of the bill?

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER:

I am directed by the Senate, to inform the House, that the Senate has passed the following Engrossed House bill, without amendment, to-wit:

Engrossed House bill No. 176, entitled, "a bill making general appropriations for the years 1865 and 1866."

By unanimous consent,

Engrossed Senate bill No. 56. A bill to amend the 20th and 21st sections of an act entitled "an act providing for the election or appointment of Supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto, and to make additional provisions on the same subject."

Was taken up.



Mr. Wright, moved that it be deemed expedient to suspend the Constitutional rule, requiring the reading of bills on three several days, and that the bill be read a second time by its title, and a third time now by sections.

Those who voted in the affirmative were,

Messrs. Banta, Boyd, Branham, Brown, Burnes, Burwell, Buskirk Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, James, Johnson, Kilgore, Lockhart, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Reese, Rhoads, Rice, Richards, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Steward, Stivers, Stringer, Stuckey, Thatcher, Trusler, Upson, Veach, Welch, Willis, Woodruff, Woods, Wright, and Mr. Speaker—67.

Messrs. Abbett and Bird, voting in the negative.

So it was deemed expedient to suspend the Constitutional rule, and Engrossed Senate bill No. 56, was read a second time by its title, and a third time by sections.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bird, Burnes, Crook, Ferris, Griffith, Rhoads, Welch, Wright and Mr. Speaker—9.

Those who voted in the negative were,

Messrs. Abbett, Banta, Bonner, Boyd, Branham, Brown, Burnes, Chambers, Church, Coffroth, Cox, Croan, Crook, Dunham, Foulke, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, James, Johnson, Kilgore, Lockhart, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Reese, Rice, Richards, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Steward, Stringer, Stuckey, Thatcher, Trusler, Upson, Veach, White, Willis and Woods—57.

So the bill failed to pass.

Message from the Senate, by Mr. Whittlesey, their Secretary.

H. J.—53

MR. SPEAKER :

I am directed by the Senate to report that the Senate has passed the following Enrolled Acts, to-wit :

Enrolled Act No. 10, entitled "an act to amend section 322 of an act entitled an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State, to abolish distict forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18th, 1852.

An act prohibiting Supreme, Circuit or Common Pleas Judges, County Clerks, Auditors, Treasurers, Recorders, Sheriffs and their deputies, from practicing law in any of the Courts of this State, except as in this act permitted, and prescribing punishment for the violation thereof.

An act to amend sections four and eight of an act for the incorporation of the town of Knightstown, Henry County, Indiana, approved — 2d, <sup>1837</sup>.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER :

I am directed by the Senate to report the following enrolled acts of the Senate, for the signature of the Speaker of the House, to-wit :

Enrolled Act No. 133, entitled "an act fixing the time of holding the courts in the Third Judicial Circuit."

Enrolled Act No. 158, entitled "an act in relation to the sale of real estate at private sale by executors, administrators, and guardians, in certain cases."

Enrolled Act No. 168, entitled "an act fixing the times of holding courts in the Twelfth Judicial Circuit."

Also, the following Enrolled Joint Resolutions, to-wit :

Enrolled Joint Resolution No. 2, entitled "a Joint Resolution proposing an amendment to article eight of the Constitution, so as to enable cities and towns to levy taxes for the support of Common Schools."

Engrossed Joint Resolution No. 11, entitled "a Joint Resolution, requesting the Governor to appoint a suitable person to revise and correct the Swamp Land Books of the State of Indiana, in the office of the Auditor of State."

I am also directed by the Senate to report that Engrossed House bill No. 122, entitled, "a bill to amend sections six and ten of an act entitled an act to provide for and regulate the inspection of tobacco throughout the State of Indiana," approved February 12th, 1857, has passed the Senate.

By unanimous consent,  
Mr. Brown, from a Select Committee, made the following report :

MR. SPEAKER :

The Select Committee, to whom was referred House bill No. 125, entitled "an act to amend sections one and two of an act entitled "an act to provide for the re-location of county seats, and for public buildings in counties in case of re-location," approved March 2, 1855, have directed me to report the same back to the House, and as the present term of this body has so nearly expired, recommend that said bill do lie upon the table.

Which, on motion, was concurred in.

By unanimous consent,  
Engrossed Senate bill No. 28, "A bill to amend the 25th section of an act defining felonies, and prescribing punishment therefor," approved June 10th, 1852,"

Was taken up.

Mr. Lockhart moved that it be deemed expedient to suspend the Constitutional rule, requiring the reading of bills on three several days, and that the bill be read a second time by its title, and a third time now by sections.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Abbett, Banta, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hogate, Hoover, Howard, James, Johnson, Kilgore, Lockhart, Lopp, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Reese, Rhoads, Rice, Richards, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Steward, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Willis, Woodruff, Woods, Wright and Mr. Speaker—68.

Mr. Bird voting in the negative.

So it was deemed expedient to suspend the Constitutional rule,

and Engrossed Senate bill No. 28 was read a second time by its title, and a third time by sections.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Banta, Bird, Bonner, Boyd, Branham, Burnes, Burwell, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Hamrick, Hargrove, Harrison, Hendricks, Hershey, Higgins, Hogate, Hoover, Howard, James, Johnson, Kilgore, Lockhart, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Reese, Rhoads, Rice, Richards, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Steward, Stivers, Stringer, Stuckey, Trusler, Upson, Veach, Welch, White, Willis, Woodruff, Woods, Wright and Mr. Speaker—66.

Those who voted in the negative were;

Messrs. Griffith and Thatcher—2.

The question being, shall the title, as read, stand as the title of the bill?

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Rhoads, from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills respectfully report that they have carefully compared Enrolled Act No. 202, (House of Representatives,) with the engrossed copy thereof, and have found the same, in all respects, correctly and properly enrolled.

Senate bill No. 88, "a bill repealing the second section of an act approved March 3, 1853, entitled "an act providing for the colonization of free negroes, making appropriations therefor, and establishing a colonization agency,"

Was taken up and read a first time.

Mr. Coffroth moved that it be deemed expedient to suspend the Constitutional rule, requiring bills to be read on three several days, and read said bill the second and third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Abbett, Banta, Bird, Bonner, Boyd, Branham, Burnes, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, James, Johnson, Kilgore, Lockhart, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Reese, Rhoads, Rice, Richards, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Steward, Stivers, Stringer, Stuckey, Thatcher, Trusler, Upson, Veach, Welch, White, Willis, Woods, Wright and Mr. Speaker—69.

None voting in the negative.

So it was deemed expedient to suspend said Constitutional rule, and said bill was read the second and third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Banta, Bird, Bonner, Boyd, Branham, Burnes, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Crook, Croan, Dunham, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Lockhart, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Reese, Rhoads, Rice, Richards, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Steward, Stivers, Stringer, Trusler, Upson, Veach, Welch, White, Willis, Woodruff, Woods, Wright, and Mr. Speaker—63.

Those who voted in the negative were,

Messrs. Glazebrook, Gregg, Howard, Kilgore, Stuckey, and Thatcher—6.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill.

It was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Senate bill No. 178. A bill to authorize companies for the construction of water works, and for incorporated cities to enable such cities to subscribe stock in such companies and to issue and sell bonds for the payment thereof.

Was taken up.

Mr. Cook, moved that it be deemed expedient to suspend the Constitutional rule requiring bills to be read on three several days, and read said bill the first, second and third times now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Abbett, Banta, Boyd, Branham, Burnes, Burwell, Chambers, Church, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lockhart, Lopp, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Reese, Rhoads, Rice, Richards, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Steward, Stivers, Stringer, Stuckey, Thatcher, Trusler, Upson, Veach, Welch, White, Willis, Woodruff, Woods, Wright and Mr. Speaker—67.

None voting in the negative.

So it was deemed expedient to suspend said Constitutional rule and said bill was read a first time by its title.

The bill was then read a second and third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Bonner, Boyd, Branham, Burnes, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Cook, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, James, Johnson, Kilgore, Lockhart, Lopp, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Reese, Rhoads, Rice, Richards, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Steward, Stenger, Stivers, Stringer, Stuckey, Trusler, Upson, Veach, Welch, White, Willis, Woodruff, Woods, Wright and Mr. Speaker—68.

Mr. Glazebrook, voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title of the bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

The Speaker announced that he had signed House bill No. 202.

Mr. Griffith, moved to amend the resolution offered by Mr. Shoaff, so as to make the same a concurrent resolution.

Which was agreed to.

Mr. Branham, offered the following resolution :

*Resolved*, That the Adjutant General, be required to make up a full and complete report of his office, which shall embrace the names, residences, date of enlistment and muster, and date of discharge or death, of every officer, soldier and marine, enlisted in the military or naval service of the United States, during the present war, with such information relating to the State or United States service, as may be of public interest and in similar style to those published by other States. Two thousand copies of which report shall be printed and bound under the direction of the Adjutant General as other public documents are printed and bound.

Which was agreed to.

Senate bill No. 177. A bill for the relief of persons who have paid certain claims to the State or to the proper officer under color of judicial proceedings, and to subrogate such persons to the rights of the State.

Was taken up and read a first time.

Mr. Reese, moved that it be deemed expedient to suspend the Constitutional rule requiring bills to be read on three several days, and read said bill a second and third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Abbott, Bonner, Boyd, Branham, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, James, Johnson, Kilgore, Lockhart, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Reese, Rhoads, Rice, Richards, Riford, Roach,

Sabin, Shoaff of Allen, Shuey, Sim, Steward, Stivers, Stringer, Stuckey, Thatcher, Trusler, Upson, Veach, Welch, White, Willis, Woodruff, Woods, Wright and Mr. Speaker—67.

None voting in the negative.

So it was deemed expedient to suspend said Constitutional rule, and Senate bill No. 177, was read a second and third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Bonner, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Chambers Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Hargrove, Harrison, Hendricks, Hershey, Higgins, Hogate, Hoover, Howard, James, Johnson, Kilgore, Lasselle, Lockhart, Lopp, Miller of Clinton, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Osborn, Reese, Rhoads, Rice, Riford, Roach, Sabin, Shuey, Sim, Steward, Stuckey, Thatcher, Trusler, Upson, Veach, Welch, White, Willis, Woods, Wright and Mr. Speaker—63.

Those who voted in the negative were,

Messrs. Boyd, Coffroth, Richards and Stringer—4.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was agreed to.

*Ordered*, That the Clerk inform the Senate thereof.

Message from the Senate, by Mr. Whittlesey, their Secretary.

I am directed by the Senate, to present to the House for the signature of the Speaker thereof, the following Enrolled Act of the Senate, to-wit:

Enrolled Senate bill No. 101, entitled an act to amend the second section of an act entitled an act to amend the fifth and sixth sections of an act entitled an act to provide for the election of a Reporter and a speedy publication of the decisions of the Supreme Court and for the compensation of such reporter, approved February 28th,



1855 ; and also to amend the seventh section of an act entitled an act to provide for the election of a reporter, and a speedy publication of the decisions of the Supreme Court, and for the compensation of such Reporter, approved February 5th, 1852.

I am also further directed by the Senate to inform the House, that the Senate has concurred in the House amendments to said act.

MR. SPEAKER :

I am directed by the Senate to inform the House that the President of the Senate has signed enrolled House bill No. 202, entitled "an act to fix the times of holding the Common Pleas Courts in the county of Grant, and repealing all laws inconsistent herewith."

I am also directed by the Senate to transmit to the House, for the signature of the Speaker thereof, enrolled acts of the Senate, to-wit :

Enrolled Act No. 68, entitled "an act to change the name of the Terre Haute and Richmond Railroad Company, and to give further time for the completion of the line of said road, from Terre Haute to a point on the western line of the State of Indiana."

Enrolled Act No. 150, entitled "an act to amend sections seven, nine and twenty of an act to provide against the consequences ensuing, or likely to ensue, from the destruction of books, pamphlets, papers, records, or other writings, of any county in the State, or any Circuit, Probate, Commissioners', or other inferior courts of record therein, or filed with or in the legal custody of any officer of any county in this State; and to provide for the perpetuation of testimony relative to the same, and requiring new official bonds of officers, executors, administrators and guardians, have been destroyed," approved January 12th, 1852.

Enrolled Act No. 100, entitled "an act fixing the compensation of Township Assessors."

Enrolled Act No. 92, entitled "an act authorizing street or horse car railway companies to use State, county or township roads, or other public highways, for their railway track, under certain conditions and regulations.

Mr. Rhoads, from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER :

The Joint Committee on Enrolled Bills respectfully report that they

presented Enrolled Act No. 202, (House of Representatives,) to His Excellency, O. P. Morton, Governor of the State, for his approval and signature, March 4th, 1865, at 11 o'clock, P. M.

Mr. Coffroth moved to reconsider the vote whereby House bill No. 107 failed to pass.

Which was agreed to.

Senate bill No. 92, "a bill authorizing Street or Horse Car Railway Companies to use State, county or township roads, or other public highways for their railway track, under certain conditions and regulations,"

Was taken up and read a second time.

Mr. Chambers moved that it be deemed expedient to suspend the Constitutional rule, requiring the reading of bills on three several days, and that said bill be read a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Abbett, Bonner, Boyd, Branham, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Cox Croan, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lockhart, Lopp, Miller of Tippecanoe, Montgomery, McVey, Newcomb, O'Brien, Osborn, Patterson, Reese, Rhoads, Rice, Riford, Roach, Sabin, Shuey, Sim, Steward, Stivers, Stringer, Stuckey, Thatcher, Trusler, Upson, Veach, Welch, White, Willis, Woods, Wright and Mr. Speaker—68.

None voting in the negative.

So it was deemed expedient to suspend said Constitutional rule, and House bill No. 92 was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Bonner, Boyd, Branham, Burnes, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hoover, Howard, James, Johnson, Kilgore, Lockhart, Lopp, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Osborn, Reese, Rhoads, Rice, Richards, Riford, Roach, Sabin, Shuey, Sim, Stenger,

Stivers, Stringer, Stuckey, Trusler, Upson, Veach, Welch, Willis, Woodruff, Woods, Wright and Mr. Speaker—63.

Those who voted in the negative were,

Messrs. Burton, Glazebrook, Hogate and Thatcher—4.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was agreed to.

*Ordered*, That the Clerk inform the Senate thereof.

Senate bill No. 53, "a bill entitled "an act to allow County Commissioners to organize Turnpike Companies, where three-fifths of the persons representing the real estate within prescribed limits, petition for the same; and to levy a tax for its construction, and provide for the same to be free,"

Was read a first time.

Mr. Miller, of Tippecanoe, moved that it be deemed expedient to suspend the Constitutional rule, requiring bills to be read on three several days, and that said bill be read a second and third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Boyd, Branham, Brown, Burns, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, James, Johnson, Kilgore, Lockhart, Lopp, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Osborn, Reese, Rhoads, Rice, Richards, Riford, Roach, Sabin, Shuey, Sim, Steward, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Willis, Woodruff, Woods, Wright and Mr. Speaker—68.

Mr. Abbett voting in the negative.

So it was deemed expedient to suspend said Constitutional rule, and Senate bill No. 53 was read a second and third time; and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Beckett, Bonner, Branham, Brown, Burnes, Burwell, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregg, Gregory of Warren, Gregory of Montgomery, Griffith, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, James, Johnson, Kilgore, Lockhart, Miller of Tippecanoe, Montgomery, Newcomb, Osborn, Patterson, Reese, Rhoads, Rice, Richardson, Roach, Sabin, Shuey, Sim, Stivers, Stringer, Stuckey, Sullivan of Scott, Trusler, Upson Veach, Welch, Willis, Woods, Wright and Mr. Speaker—59.

Those who voted in the negative were,

Messrs. Boyd, Burton, Glazebrook, Hargrove, McVey, Riford, Thatcher and White—8.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

The Speaker announced that he had signed Senate bills Nos. 193, 10, and 63.

By unanimous consent,

Mr. Hamrick offered the following concurrent resolution :

A concurrent resolution, providing for the publication of the report of the Indiana State Board of Agriculture, for the year 1864.

*Be it resolved, (the Senate concurring,)* That, there shall be published, under the supervision of the President and Secretary of the Indiana State Board of Agriculture, two thousand copies of the report of said society for the year 1864.

Which,

On motion by Mr. Foulke,  
Was indefinitely postponed.

By unanimous consent,

Senate bill No. 180, "a bill authorizing the Auditor and Treasurer of State to sell certain swamp lands belonging to the State, under the provisions of the general swamp land act,"

Was taken up and read a second time.

Mr. Glazebrook moved that it be deemed expedient to suspend the Constitutional rule, requiring the reading of bills on three several days, and that the bill be read a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Abbett, Beckett, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, James, Johnson, Kilgore, Lockhart, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Osborn, Patterson, Reese, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shuey, Sim, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Willis, Woodruff, Woods and Wright—66.

Mr. Speaker voting in the negative.

So it was deemed expedient to suspend said Constitutional rule, and Senate bill No. 180 was read the third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Beckett, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Buskirk, Chambers, Church, Cook, Cox, Ferris, Foulke, Goodman, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Johnson, Kilgore, Lockhart, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, Osborn, Patterson, Reese, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shuey, Thatcher, Trusler, Upson, Veach, Welch, White, Willis, Woodruff, Woods, Wright and Mr. Speaker—64.

Those who voted in the negative were,

Messrs. Crook, Lasselle and Stuckey—3.

The question being, shall the title, as read, stand as the title of the bill?

It was so ordered.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

The Speaker announced that he had signed Enrolled Senate bills Nos. 133 and 101.

Mr. Rice obtained leave and offered the following resolution:

*Resolved*, That L. A. Foot and Samuel A. Hoover, Clerks to the Committee of Ways and Means, be allowed the additional sum of sixty-one dollars, for services rendered as such clerks, being one dollar per day for such services.

Which was not agreed to.

Mr. Miller, of Tippecanoe, offered the following resolution:

*Be it resolved by the House of Representatives of the State of Indiana, (the Senate concurring,)* That there be a Committee, consisting of three, two on the part of the House and one on the part of the Senate, to revise the Statutes of the State of Indiana, and that said Committee be authorized to contract with Gavin & Hord for the copyright and plates of Gavin & Hord's Revised Statutes of the State of Indiana, if in their opinion, they can thereby make a complete revision of the Statutes of the State cheaper by purchasing said Revised Statutes and plates; and that said Committee shall meet at such place as shall be prepared for them by the State Librarian, and shall receive for their services, while engaged in said revision, the sum of six dollars per day; and shall have power to employ two Clerks, who shall receive five dollars per day, to be paid out of the appropriation for the expenses of this Legislature; and it shall be their duty to report said revision at the next meeting of the Legislature of the State of Indiana, whether special or regular.

Pending which,

The Speaker announced that he had signed Senate bills Nos. 68, 100, 92, and 150.

On motion by Mr. Chambers,  
The House adjourned.

MONDAY MORNING, 9 o'clock, }  
 March 6th, 1865.

The House met pursuant to adjournment.

Mr. Buskirk moved that the reading of the journal be dispensed with.

Messrs. Dunham and Thatcher, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Buskirk, Cook, Church, Cox, Crook, Emerson, Ferris, Foulke, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lockhart, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Steward, Stivers, Stringer, Trusler, Upson Welch, Willis, Woods, Wright and Mr. Speaker—45.

Those who voted in the negative were,

Messrs. Abbott, Beckett, Bird, Burton, Burwell, Chambers, Cofroth, Dunham, Glazebrook, Harrison, Hunt, Lemon, Lopp, Milroy, O'Brien, Osborn, Patterson, Shoaff of Jay, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach and White—24.

So the reading of the journal was dispensed with.

The question being, shall the journal, as prepared by the Clerk, stand as the journal of Saturday?

It was so ordered.

#### PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Newcomb,

A petition from sundry citizens of Marion county, praying the enactment of a law for the suppression of the crime of intemperance.

Which,

On motion,

Was referred to the Committee on Temperance.

Mr. Rhoads, from the Joint Committee on Enrolled Bills made the following report :

MR. SPEAKER :

The Joint Committee on Enrolled Bills, have examined Enrolled Acts Nos. 122, 176 and 178, House of Representatives, and have carefully compared them with the engrossed copies thereof, respectively, and direct me to report that they are in all respects correctly and properly enrolled.

Mr. Rhoads, from the Joint Committee on Enrolled Bills, made the following report :

MR. SPEAKER :

The Joint Committee on Enrolled Bills, respectfully report that they presented Enrolled Acts Nos. 122, 176 and 178, House of Representatives, to His Excellency O. P. Morton, Governor of the State, for his approval and signature, March 4th, 1865.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Buskirk, from the Committee of Ways and Means, made the following report :

MR. SPEAKER :

A majority of the Committee of Ways and Means to whom was referred a communication from His Excellency, Gov. Morton in regard to preparing a safe and suitable building for the State Offices, have had the same under consideration and have directed me to report the same back, with the accompanying resolution, and recommend its passage.

*Resolved*, By the House of Representatives, the Senate concurring therein, that the Auditor, Treasurer and Secretary of State, be and they are hereby empowered and directed to contract for purchase from the Bank of the State, of the State of Indiana, the premises heretofore occupied by the Bank of the State, situated on Illinois street and Kentucky Avenue, to be used for the officers of State ; that said officers shall report their proceedings to the next session of the Legislature for its approval, that if said officers can not purchase the said premises, that they shall make an arrangement with the Sinking Fund Commissioners to occupy the building now occupied by the Sinking Fund for the Officers of State ; and that if the said officers can neither purchase the old bank building nor occupy the Sinking Fund building, then they shall rent some safe and suitable building for the use of the State officers.



Mr. Gregory, of Warren, demanded the previous question.  
Which was seconded.

The question being, shall the main question be now put?  
It was agreed to.

The question recurring on the adoption of the resolution reported by the committee.

Messrs. Dunham and Glazebrook, demanded the ayes and noes.

Those who voted in the affirmative were.

Messrs. Abbett, Atkinson Banta, Bonner, Boyd, Branham, Buskirk, Chambers, Church, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Gregory of Montgomery, Gregory of Warren, Henricks, Hershey, Higgins, Johnson, Lockhart, Miller of Tippecanoe, Montgomery, Newcomb, Olleman, Riford, Sabin, Shuey, Sim, Stivers, Stringer, Trusler, Upson, Welch, Willis, Woods, Wright and Mr. Speaker—40.

Those who voted in the negative were,

Messrs. Beckett, Bird, Burton, Dunham, Glazebrook, Hamrick, Hargrove, Hogate, Hoover, Hunt, Kilgore, Lemon, Lopp, Miller of Clinton, Milroy, O'Brien, Osborn, Patterson, Reese, Rhoads, Rice, Shoaff of Jay, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach and White—28.

Mr. Branham, from the Committee of Ways and Means, made the following report :

MR. SPEAKER:

The Committee of Ways and Means beg leave to report that all books and papers appertaining and belonging to said Committee during the present session of the General Assembly, have been deposited in the State Library, for which the receipt of the State Librarian has been taken, which receipt accompanies and is made a part of this report.

OFFICE OF STATE LIBRARIAN, }  
Indianapolis, March 6th, 1865. }

Received of Mr. S. A. Hoover, Clerk of Committee of Ways and Means, H. R. one Record Book, Bills and Papers, belonging to said Committee.

B. F. FOSTER,  
*State Librarian.*

Which was ordered to be entered on the Journal.

H. J.—54

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. SPEAKER :

The Judiciary Committee, to whom was referred House bill No. 13, entitled "an act for the relief of persons who have lost property in consequence of rebel raids, and to provide for the liquidation and payment of claims for the same," respectfully report back said bill to the House and recommend that it be laid upon the table, for the reason that the House has passed a Senate bill on the same subject.

Which was concurred in.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. SPEAKER :

The Judiciary Committee, to whom was referred House bill No. 102, entitled "an act amendatory of the 35th and 42d section, and supplemental to an act entitled "an act regulating the duties of officers in relation thereto," approved June 7th, 1852, respectfully report back said bill to the House, and recommend that it be laid upon the table, as the House has passed a bill embracing the same subject.

Which,

On motion,

Was laid on the table.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. SPEAKER :

The Judiciary Committee, to whom was referred House bill No. 168, entitled "an act to amend sections eleven and twelve of chapter seven of the Revised Statutes of 1852, first part, volume second, being an act prescribing the powers and duties of Coroners," approved May 27th, 1852, respectfully report back said bill to the House and recommend its passage.

Which,

On motion,

Was laid on the table.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. SPEAKER :

The Committee on the Judiciary, to whom was referred House bills

Nos. 28, 165, 169, 74, 157, 162, 16, 142, 116, 182, 183, 166, 91, and 96, report the same back for the action of the House, without any recommendation.

Which,

On motion,

Was laid on the table.

Mr. Newcomb, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Committee on the Judiciary, to whom was referred Senate bills Nos. 12, 36, 2, 13, and 44, report the same back to the House without any examination.

Which,

On motion,

Was laid on the table.

Mr. Miller, of Tippecanoe, from the Committee on the Organization of Courts of Justice, made the following report :

MR. SPEAKER :

The Committee on Organization of Courts, to whom was referred House bill No. 87, and Senate bill No. 7 ; also, petition of attorneys of Cass county, and resolution of the House in reference to abolishing the Common Pleas Court, report the same back to the House without any recommendation.

Which,

On motion,

Was laid on the table.

Mr. Emerson, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred the enclosed claims, deeds, resolutions, &c., have had the same under consideration, and would beg leave to report the same back to the House, with the recommendation that they lay on the table.

Which,

On motion,

Was laid on the table.

Mr. Boyd, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims having performed all the work assigned to them by this body, would, in conformity with a resolution introduced at the beginning of the present session, beg leave to report to the House a journal of the proceedings of the Committee, together with the enclosed invoice of articles drawn for the use of the Committee, all of which has been turned over to the State Librarian for safe keeping. Enclosed will be found receipt for articles :

Received of Robert Boyd, Chairman of Committee on Claims, the following named articles :

One Record of Proceedings of Committee,  
One rubber rule,  
One Carmine ink bottle,  
One black inkstand,  
One jug ink,  
One bottle mucilage.

B. F. FOSTER,  
*State Librarian.*

Mr. Riford, from the Committee on County and Township Business, made the following report :

MR. SPEAKER :

The Committee on County and Township Business, to whom was referred House bill No. 164, have had the same under consideration, and have instructed me to recommend that the same do lie upon the table.

Which,  
On motion,  
Was laid on the table.

Mr. Higgins, from the Committee on Public Expenditures, made the following report :

MR. SPEAKER :

The Committee on Public Expenditures, to whom was referred a communication, and accompanying documents, from Joseph Ristine, late Auditor of State, have had the same under consideration, and have directed me to return the same to the House and recommend that they be laid on the table.

Which,  
On motion,  
Was laid on the table.

Mr. Woods, by unanimous consent, was allowed to withdraw a certain deed and certificate he some time ago presented and referred to the Committee on Claims.

Mr. Trusler, from the Military Committee, made the following report :

MR. SPEAKER :

The Military Committee, to whom was referred House bill No. 99, request that I report the same back to the House without any recommendation.

Which,

On motion,

Was laid on the table.

Mr. Trusler, from the Military Committee, made the following report :

MR. SPEAKER :

The Military Committee, to whom was referred Joint Resolution No. 10, direct me to report the same back to the House without any recommendation.

Which,

On motion,

Was laid on the table.

Mr. Kilgore, from the Committee on Elections, made the following report :

MR. SPEAKER :

The Committee on Elections, to whom was referred House bill No. 36, entitled "an act to amend the eighteenth section of an act entitled "an act regulating elections, and prescribing the duties of officers in relation thereto," have instructed me to report the same back, and recommend that it be laid on the table.

Mr. Kilgore, from the Committee on Elections, made the following report :

MR. SPEAKER :

The Committee on Elections, to whom was referred House bill No. 39, entitled "an act to amend section 15, and to repeal sections 29 and 30 of an act regulating general elections, and prescribing duties of the officers in relation thereto," approved June 1, 1852, have had

the same under consideration, and have instructed me to report the same back, and to recommend that it be passed.

Which was laid on the table.

Mr. Henricks offered the following resolution :

*Resolved*, That John L. Duncan, Speaker's Clerk, be allowed the sum of \$61, in addition to what he has already received.

Which was agreed to.

Mr. Trusler offered the following concurrent resolution :

*Resolved by the House of Representatives, the Senate concurring :*

1st. That the people of the State of Indiana have observed with pride and satisfaction the gallant conduct of the officers and men in the volunteer service of the United States from this State, and that they desire through their Representatives to express their high appreciation thereof, and to congratulate them upon the glorious record they have made for themselves, their State, and their country.

2d. That the Secretary of State cause a sufficient number of the above resolution to be printed, and that the Adjutant General be requested to forward the same to the several commanders of Indiana Volunteer Regiments and Batteries, who will order the same read upon parade of their respective commands.

Which was agreed to.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Shoaff, of Jay, offered the following resolution :

*Resolved*, That S. A. Hoover and L. A. Foote, Clerks to Committee of Ways and Means, be allowed the sum of one dollar per day from the beginning of the session, in addition to what they have already received.

Which was agreed to.

Mr. Church offered the following resolution :

*Resolved*, That Cornelius J. Miller, Higgins Lane, Samuel Colover, Ambrose D. Hamrick, and Austin M. Puett, be allowed fifty dollars each, to reimburse them for expenses incurred in their respective contests for seats in this Legislature.

Mr. Miller, of Tippecanoe, moved to amend by including the name of Mr. Hamilton.

Which was not agreed to.

The question being on the adoption of Mr. Church's resolution.  
It was agreed to.

Mr. Boyd offered the following resolution :

*Resolved*, That the thanks of this House are hereby tendered to the Hon. John U. Pettit, for the very able, impartial and polite manner in which he has discharged the duties of Speaker of the House, during the present session thereof.

Which was agreed to.

Mr. Boyd offered the following resolution :

*Resolved*, That David Stevenson be allowed one thousand and seventy dollars for one hundred and two copies of Gavin & Hord's Statutes, furnished to the members of the House, and that the Auditor of State be authorized to draw an order on the State Treasurer for the amount, and that the same be stricken from the Specific Appropriation bill, which has failed to pass.

Mr. Buskirk moved to refer the resolution to the Committee on the Judiciary.

Mr. Miller moved that the resolution and motion be laid on the table.

Which was not agreed to.

The question being on Mr. Buskirk's motion.  
It was agreed to.

Mr. Beckett moved to reconsider the vote on adopting the resolution tendering a vote of thanks to the Speaker.

Mr. Miller, of Tippecanoe moved to lay the motion to reconsider on the table.

Messrs. Dunham and Milroy demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burnes, Cook, Cox, Crook, Emerson, Ferris, Foulke, Gregory of Montgomery, Gregory of Warren, Henricks, Higgins, Hogate, Hoover, Kilgore, Lane, Lockhart, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Steward, Stringer, Trusler, Upson, Welch, Woods and Wright—40.

Those who voted in the negative were,

Messrs. Abbett, Beckett, Bird, Burton, Croan, Dunham, Glazebrook, Hunt, Lemon, Lopp, Milroy, O'Brien, Osborn, Patterson, Stenger, and Thatcher—16.

No quorum voting,  
Mr. Dunham moved a call of the House.

Which was ordered, and the following members answered to their names:

Messrs. Atkinson, Banta, Beckett, Bird, Bonner, Boyd, Branham, Burnes, Burton, Burwell, Buskirk, Chambers, Coffroth, Cook, Cox, Croan, Crook, Dunham, Emerson, Ferris, Foulke, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Harrison, Henricks, Higgins, Hogate, Hoover, Hunt, Kilgore, Lane, Lemon, Lockhart, Lopp, Miller of Tippecanoe, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Reese, Rhoads, Rice, Riford, Roach, Sabin, Shoaff of Jay, Shuey, Sim, Steward, Stenger, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Welch, White, Woods, Wright and Mr. Speaker—67.

The question being on the motion made Mr. Miller, the ayes and noes having been previously demanded.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burnes, Buskirk, Chambers, Church, Cook, Cox, Croan, Crook, Emerson, Ferris, Foulke, Gregg, Gregory of Montgomery, Gregory of Warren, Henricks, Higgins, Hogate, Hoover, Lane, Lockhart, Miller of Tippecanoe, Montgomery, McVey, Newcomb, Olleman, Reese, Rhoads, Rice, Riford, Sabin, Shoaff of Jay, Shuey, Sim, Steward, Stivers, Stringer, Trusler, Upson, Welch, White, Woods and Wright—47.

Those who voted in the negative were,

Messrs. Beckett, Burton, Burwell, Dunham, Glazebrook, Stenger, Stuckey, Sullivan of Scott and Thatcher—9.

So the motion to lay on the table was agreed to.

Mr. Miller, of Tippecanoe, from a Select Committee, made the following report:

**MR. SPEAKER:**

The Social Committee to whom was referred the message of the Governor, in reference to the construction of the duration of the term of the Legislature, whether sixty-one Legislative days was intended excluding Sundays, have had the same under consideration and have instructed me to report, that in the opinion of the Committee, without entering into a discussion of authorities, or giving a legal reason for our conclusion, we have unanimously agreed that it



would be inexpedient to unsettle the now established rule of construing the session, to be sixty-one consecutive days including Sundays.

Which was laid on the table.

Message from the Governor, by his Secretary.

MR. SPEAKER:

I am directed by his Excellency the Governor, to inform your honorable body that he has approved and signed the following House bills:

House bill No. 15, entitled "an act authorizing Supervisors of roads to remove fences standing near public highways on streams and water courses, and to turn public roads and highways on water courses, to the rear of buildings where such buildings stand too near the stream to give room for said roads or highways, and assess damages for losses occasioned thereby."

Also, House bill No. 19, entitled "an act to amend an act entitled an act in relation to witnesses and to repeal section 238 of article 13, of the act entitled an act to revise, simplify and abridge, the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18th, 1852, and to repeal all laws inconsistent therewith, and providing when the act shall take effect and be in force," which took effect and went into force March 17th, 1861.

Also, House bill No. 89, entitled "an act to allow cities and towns to permit the location of Railroads on the streets and alleys for the purpose of conveying coal into and through said cities and towns."

Also, House bill No. 122, entitled, "an act to amend sections six and ten, of an act entitled an act to provide for and regulate the inspection of tobacco throughout the State of Indiana, approved February 12th, 1857.

Also, House bill No. 140, entitled "an act ratifying the action of the Governor in settling and discharging the State's quota of the direct tax levied by Congress in 1861, and authorizing him to settle all unsettled claims of the State against the United States."

Also, House bill No. 176, entitled "an act making general appropriations for the years 1865 and 1866."

Also, House bill No. 178, entitled "an act to provide for a general system of Common Schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and

prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed."

Also, House bill No. 202, entitled, "an act to fix the times of holding the Common Pleas Courts in the county of Grant, and repealing all laws inconsistent therewith."

And that the same have been deposited in the office of the Secretary of State.

Mr. Newcomb, from the Judiciary Committee, made the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred a resolution of the House for the payment of David Stevenson, for statutes furnished to the members of the House under a resolution thereof, with instruction to report whether the House can legally direct by resolution, the payment of its current expenses out of the general appropriations heretofore made for that purpose, have had the same under consideration, and instruct me to report that inasmuch as appropriations have been made by law for the payment of the expenses of this General Assembly, it is competent for the House by resolution or otherwise, to direct to whom said payments are due and payable, and to order them to be paid and effectuate such payments.

The Committee recommend the adoption of the following resolutions:

*Resolved*, That there be allowed and paid out of the general appropriation made for the payment of the expenses of the General Assembly of 1863, and of the present session, the several sums embodied in the specific appropriation bill which passed this House on the 4th inst., for the payment of the Legislative expenses of the House for the session of 1863 and 1865, including all books, stationery, newspapers or other supplies, furnished for the use of the House, and also all allowances for services rendered to the House, or by its orders.

Which was agreed to.

Mr. Wright, offered the following resolution:

*Resolved*, That the Auditor of State, be, and is hereby authorized, to issue a warrant to each member of the Prison Committee, for the sum of twenty-five dollars, to cover expenses of such members visiting said prisons, upon the presentation of the certificate of the Chairman of said Committees, certified by the Speaker of the House.

Mr. Branham, moved to amend as follows :

That Samuel L. Rugg, be allowed the sum of nine hundred and eighty-one dollars and ten cents for money expended for the office of Superintendent of Public Instruction.

Which was agreed to.

Mr. Newcomb moved to include the Committee on Education.

Which was agreed to.

The resolution as amended was agreed to.

Mr. Kilgore, offered the following resolution :

*Resolved*, That Isaac Fouts be allowed the sum of \$65 00 compensation for labor in building fires and cleaning rooms for the Committee of Ways and Means, being the amount recommended by the Doorkeeper.

Which was agreed to.

Mr. Coffroth, offered the following resolution :

*Resolved*, That Cyrus L. Nixon, Principal Clerk of this House, Capt. T. W. O. Braffitt, Assistant Clerk, and Oliver M. Wilson, the Reading Clerk, and also the Journal and Enrolling Clerks, for the able, efficient and prompt and impartial manner with which they have each discharged their respective duties, be and they are hereby tendered the thanks of this House.

Which was agreed to.

Mr. Trusler, offered the following concurrent resolution :

*Resolved by the House of Representatives, the Senate concurring*, That the thanks of the people of the State are hereby tendered to the officers and men of the Indiana Legion, for the gallant and efficient manner in which they have discharged the important duties which have been entrusted to them.

That the Secretary of State cause to be printed a sufficient number of the above resolution and that the Adjutant General be requested to forward the same to the several Commanders of the Indiana Legion, who will order the same read upon parade of their respective commands.

Which was agreed to.

Mr. Miller, of Tippecanoe, moved to take up the following message from the Senate.

Which was agreed to.

MR. SPEAKER :

I am directed by the Senate to inform the House, that the Senate has just passed the following resolution :

*Resolved*, That the Senate, having completed the business of the session, is now ready to adjourn ; and that the House of Representatives be informed of that fact.

And on motion,  
The resolution was concurred in.

Mr. Griffith, offered the following concurrent resolution :

*Resolved, by the House, (the Senate concurring,)* That the congregation of Grace church, of the Episcopal denomination, be allowed the use of the Chapel attached to the Blind Asylum, for three months, for the purpose of holding religious worship therein, once upon each Sabbath, *Provided*, that it comports with the convenience of the Superintendent of said Institution and its inmates.

Which was not agreed to.

Mr. Woods, offered the following resolution :

*Resolved*, That the Stationery Clerk request the Postmaster of this city, to forward all letters that may arrive after adjournment, to the Post Office address of the members to whom such letters may be addressed.

Which was agreed to.

Message from the Senate, by Mr. Whittlesey, their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House, that the Senate has passed the following resolution, to-wit :

*Resolved*, That a Committee of two on the part of the Senate, be appointed to act with a similar Committee on the part of the House, to wait on the Governor and ascertain and report to the Senate if he has any further communications to make to the General Assembly.

And the President has appointed Senators Niles and McClurg, said Committee on the part of the Senate.

The Speaker appointed on the part of the House, Messrs. Miller, of Tippecanoe, and Buskirk.

Mr. Buskirk, offered the following resolution :

*Resolved*, That the Secretary of State procure and send by Express,

to each member of the House, and to the officers thereof, two copies each of the House, Senate and Documentary Journals, two copies of the Brevier Legislative Reports, also two copies of the acts of the present session, all to be bound in full sheep.

Which was agreed to.

Mr. Newcomb, offered the following resolution :

*Resolved*, (the Senate concurring,) That the rooms now used in the State Capitol by the Supreme Court, and its Clerk, be hereafter used by the Adjutant General for his office, and that the Supreme Court be authorized to rent, at a reasonable rate, suitable rooms elsewhere for their use, and for the use of their Clerk, thereof, which rent shall be paid quarterly, upon certified accounts, out of the State Treasury, from any funds not otherwise appropriated.

Which was agreed to.

Mr. Buskirk made the following report, which was ordered to be spread upon the Journal :

The Speaker laid before the House the following report from the Adjutant General :

REPORT of W. H. H. Terrell, Adjutant General, in reference to Veteran Credits, in reply to a resolution of the House of Representatives, passed March 1, 1865.

#### QUOTAS OF THE SEVERAL DISTRICTS OF INDIANA.

ENROLLMENT of the State by Congressional Districts, under call of the President, December 19, 1864, for 300,000 volunteers.

First District—Vanderburgh County enrollment.....	3,100
Posey County enrollment.. ....	1,591
Gibson County enrollment..... ..	1,753
Warrick County enrollment .....	1,620
Spencer County enrollment.....	2,132
Dubois County enrollment.. .....	1,056
Knox County enrollment.....	1,869
Martin County enrollment.....	497
Daviess County enrollment....	1,069
Pike County enrollment.....	1,101

Total in District.....15,788

Second District—Clark County enrollment.....	2,500
Scott County enrollment .....	567
Washington County enrollment .....	1,640
Orange County enrollment .....	1,114

Floyd County enrollment.....	2,500
Harrison County enrollment.....	1,738
Crawford County enrollment.....	768
Perry County enrollment.....	1,190
Total in District.....	12,017
Third District—Bartholomew County enrollment .....	2,626
Jennings County enrollment.....	1,193
Jefferson County enrollment.....	1,757
Switzerland County enrollment.....	1,504
Lawrence County enrollment.....	1,191
Jackson County enrollment.....	1,446
Monroe County enrollment.....	1,365
Brown County enrollment.....	475
Total in District.....	11,551
Fourth District—Dearborn County enrollment.....	2,246
Decatur County enrollment.....	1,922
Franklin County enrollment.....	1,664
Ohio County enrollment.....	482
Rush County enrollment.....	2,164
Ripley County enrollment.....	1,706
Total in District . . . . .	10,214
Fifth District—Randolph County enrollment.....	2,125
Delaware County enrollment.....	1,895
Henry County enrollment.....	2,147
Wayne County enrollment.....	3,795
Union County enrollment.....	854
Forsyth County enrollment.....	1,238
Total in District.. . . .	12,054
Sixth District—Marion County enrollment.....	8,331
Hendricks County enrollment.....	1,880
Morgan County enrollment.....	1,675
Johnson County enrollment.....	2,001
Shelby County enrollment.....	2,369
Hancock County enrollment.....	1,877
Total in District.....	18,133
Seventh District—Clay County enrollment.....	1,124
Greene County enrollment.....	1,186
Owen County enrollment.....	1,280
Putnam County enrollment.....	2,396

Parke County enrollment.....	1,936
Sullivan County enrollment.....	1,087
Vermillion County enrollment.....	875
Vigo County enrollment.....	3,900

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Total in District.....13,784

Eighth District—Tippecanoe County enrollment..	4,437
Clinton County enrollment....	1,776
Boone County enrollment.....	2,321
Montgomery County enrollment.....	2,971
Carroll County enrollment .....	1,897
Fountain County enrollment.....	2,071
Warren County enrollment.....	1,181

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Total in District.....16,654

Ninth District—St. Joseph County enrollment.....	1,089
Laporte County enrollment.....	2,675
Porter County enrollment.....	1,136
Lake County enrollment.....	783
Starke County enrollment .....	195
Marshall County enrollment.....	1,274
Fulton County enrollment..	1,273
Pulaski County enrollment.....	476
Jasper County enrollment.....	501
Newton County enrollment .....	446
Benton County enrollment .....	472
White County enrollment.....	763
Cass County enrollment.....	2,363
Miami County enrollment.....	2,668

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Total in District .....17,114

Tenth District—Steuben County enrollment.....	1,305
Lagrange County enrollment.....	1,436
Elkhart County enrollment.....	2,568
Kosciusko County enrollment.....	2,277
Noble County enrollment.....	1,641
DeKalb County enrollment.....	1,622
Allen County enrollment.....	4,382
Whitley County enrollment.....	1,386

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Total in District.....16,617

Eleventh District—Adams County enrollment.....	533
Blackford County enrollment.....	360
Grant County enrollment .....	1,194
Hamilton County enrollment.....	2,243

Howard County enrollment.....	1,411
Huntington County enrollment.....	1,675
Jay County enrollment.....	876
Madison County enrollment... ..	2,219
Tipton County enrollment.....	641
Wabash County enrollment.....	2,354
Wells County enrollment.....	910

Total in District.....14,416

First District—Total.....	15,788
Second “ “ .....	12,017
Third “ “ .....	11,551
Fourth “ “ .....	10,214
Fifth “ “ .....	12,054
Sixth “ “ .....	18,133
Seventh “ “ .....	13,784
Eighth “ “ .....	16,654
Ninth “ “ .....	17,114
Tenth “ “ .....	16,617
Eleventh “ “ .....	14,416

Grand Total ..... 158,348

EXECUTIVE DEPARTMENT OF INDIANA,  
ADJUTANT GENERAL'S OFFICE,  
Indianapolis, March 4th, 1865. }

HON. JOHN U. PETTIT,

*Speaker of the House of Representatives:*

SIR:—In compliance with a resolution of the House of Representatives, passed March 1st, 1865, I have the honor to report as follows:

The whole number of re-enlisted Veterans of Indiana Volunteers authorized to be passed to the credit of the State on any of the calls of the President for volunteers or drafted men, is 11,490.

On the 8th of December, 1863, the War Department issued a circular instructing the Commissaries of Musters as follows:

“Commissaries of Musters will cause to be entered upon the descriptive roll of Veteran Volunteers the residence of each man—giving the town, county and State. The same data must also appear on the copy of the roll sent to the Adjutant General of the State in which the men reside. The information must be promptly furnished, as upon it, credits of men to the respective States will be made. It is necessary to know the number for the respective towns and counties, so that the credits may be properly distributed through the



State. The residences of men re-mustered will, of course, determine the town and county to which they belong."

The rolls of re-muster of re-enlisted Veterans were received at this office between the 1st day of January and 31st day of August, 1864, except in the cases of the Veterans of the 11th, 13th, 24th, 26th, 34th, 46th, 47th and 60th Regiments, and 3d Cavalry, which were not received until after the draft had actually taken place under the call of July 18, 1864, and then they were furnished by the Adjutant General U. S. A. War Department. Some of these rolls showed the residences of the men, and some contained no information on the subject.

On the 5th of February, 1864, the following telegram was received:

"WASHINGTON, 5th February, 1864.

"Adjutant General Indiana:

"From reports thus far received, I fear that mustering officers in the field have not fully complied with their instructions of December 8th, 1863, in reference to localities to which re-mustered Veterans should be credited. Therefore, with the view of comparing records, and to insure prompt and correct crediting of men, I respectfully request that you will consult your records of re-mustered Veteran troops and those of the organizations returned to and arriving in the State on furlough, and make therefrom a report of the numbers to be credited to the respective localities. Please forward the report to me March 1st, and let it embrace all re-musters reported to you prior to that date.

(Signed.)

"THOMAS M. VINCENT,  
"Ass't Adjutant General."

The report required was not completed by March 1st, but, further time being given, it was transmitted April 16th, 1864, and embraced all re-musters reported to the Adjutant General prior to that date. This report showed the following credits to the Congressional Districts in this State:

1st District.....	1,060
2d " .....	752
3d " .....	663
4th " .....	461
5th " .....	469
6th " .....	893
7th " .....	469
8th " .....	457
9th " .....	599

10th District.....	398
11th       ".....	508
State at large.....	1,538
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Total credited State.....	8,257
Credited to other States.....	148
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Whole number reported .....	8,405

A similar report was made for the period from April 17th to May 31st, 1864, showing an aggregate of 650, of which 2 were to the State at large, and 34 to other States, leaving 614 credited to the State, apportioned among the Congressional Districts as follows :

1st District, .....	12
2d       ".....	41
3d       ".....	14
4th       ".....	6
5th       ".....	39
6th       ".....	54
7th       ".....	51
8th       ".....	55
9th       ".....	223
10th       ".....	96
11th       ".....	23
State at large.....	1
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Total credit to Indiana.....	616
Credited to other States.....	34
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Whole number reported.....	650

Similar reports were made for the months ending June 30th, July 31st, and August 31st, 1864, showing an aggregate of 344, of which 5 were credited to other States, and the remainder distributed to the Congressional Districts as follows :

1st District, .....	16
2d       ".....	49
3d       ".....	190
4th       ".....	12
5th       ".....	...
6th       ".....	...
7th       ".....	47
8th       ".....	20
9th       ".....	3
10th       ".....	2

11th District, .....	...
Total credited to Indiana .....	339
Credited to other States .....	5
Whole number reported .....	344

All of these reports were made up from the rolls of the re-mustered Veterans, and showed, in the aggregate, 9,193 entitled to be credited to the State, and 187 to other States. Of the former, 7,653 were credited to localities within the State, and 1,540 being reported as having no residences on the rolls, were considered as credited to the State at large. These did not, however, embrace all the Veterans to which the State was entitled to credit, but only such as this office had the rolls for. On the 13th of August, 1864, Assistant Adjutant General Samuel Breck, in charge of rolls, War Department, reported that he had on file the rolls of Veterans (of which this office had no copies) as follows: 11th Regiment, 287; 13th Regiment, 189; 24th Regiment, 226; 26th Regiment, 240; 34th Regiment, 447; 46th Regiment, 285; 47th Regiment, 437; 60th Regiment, 115; and 3d Cavalry Regiment, 36; total, 2,262. Application was at once made for copies of these rolls, but it was refused on the ground that the Department could not allow its clerical force to be taken away from the current work to make the copies. They were afterwards (in the latter part of September and first weeks of October) furnished, after the numbers corresponding had been assigned to localities and reported for credit by the Adjutant General of the State, in pursuance of telegraphic instructions, as follows:

“WASHINGTON, Aug. 26, 1864.

“*Laz. Noble, Adjutant General:*

“Exhibits forwarded by you, dated April 15, May 31, June 30, July 31, give the localities for 9,173 Veterans. Forward an exhibit giving the localities to which the additional number claimed by Indiana is to be assigned, with a view to credit being passed to the State.

(Signed.)

THOS. M. VINCENT, A. A. G.”

This exhibit was made up by Adjutant General Noble, apportioning the numbers *pro rata* through the State of such as had no residences upon the rolls, and by including, in addition, those shown upon supplementary rolls, received after the date of former reports. The whole number embraced in this exhibit was 2,280, apportioned as follows:

1st District .....	159
2d     " .....	269
3d     " .....	280
4th    " .....	149
5th    " .....	219
6th    " .....	126
7th    " .....	381
8th    " .....	115
9th    " .....	113
10th   " .....	104
11th   " .....	365
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Total .....	2,280

The Veterans thus assigned were 451 of the 21st Regiment; 282 of the 31st Regiment (all from the 7th District); 142 of the 35th Regiment; 213 of the 38th Regiment (mostly from the 2d District); 287 of the 11th Regiment; 215 of the 24th Regiment (from the 1st and second Districts); 240 of the 26th Regiment; 251 of the 47th Regiment (all from the 11th District), and 199 of detachments of different regiments and batteries.

This exhibit was transmitted to Assistant Adjutant General Thomas M. Vincent, Sept. 2, 1864, that officer having signified by telegraph, that "as the draft was ordered immediately after Sept. 5th, that date is the latest at which the exhibit of veterans could be received, so as to be passed to credit."

There was some prospect, at this time, that the draft would be postponed; and Major Vincent was requested, (in case it was,) to return the last named exhibit for revision, as it was not claimed to be perfect. In a report on this subject, made to Gov. Morton by General Noble, dated Sept. 10th, 1864, it was urged that "time should be allowed to fairly adjust these credits, and especially to apportion those whose residences are not given on rolls among the townships as near where the veterans actually reside as possible, and this can not be done without a return of the exhibit furnished Major Vincent Sept. 2d. for revision. That revision, to give any kind of satisfaction, will take at least four weeks."

Although the Assistant Adjutant General, U. S. A., in charge of the adjustment of veteran credits, acknowledged that the State was entitled to a total credit of 11,490, for some unexplained reason the Provost Marshal General failed to direct his Assistant on duty in Indiana to credit the whole number thus acknowledged. Up to Sept. 17th, 1864, only 6,576 had been actually credited, and on that day an order was received, by telegraph, from the Provost Marshal General's Bureau, to give an additional credit of 3,233, leaving still a deficit of 1,681 men.

The attention of the Provost Marshal General being called to the fact that the full number authorized by the Adjutant General, U. S. A., had not yet been credited, the following instructions were given:

WAR DEPARTMENT, PROVOST MARSHAL GENERAL'S OFFICE, }  
WASHINGTON, September 19, 1864. }

*Col. Jas. G. Jones, At'g Ass't Prov't Mar'l Gen'l, Indianapolis, Ind.*

COLONEL:—The State of Indiana, by report of the Adjutant General of that State, was entitled to be credited in the aggregate with 8,257 re-enlisted veteran volunteers, to the 15th of April last. Col. Baker, (your predecessor,) states that of this number but 6,576 have heretofore been credited. Should you, upon examination, ascertain this to be the case, you will then assign the following number to the credit of the State, in accordance with the accompanying statement.

I am, Colonel, very respectfully,

Your obedient servant,

(Signed)

F. A. DODGE,

*Major V. R. C., in charge of "Enrollment Bureau."*

1st District.....	162
2d " .....	124
3d " .....	136
4th " .....	113
5th " .....	128
6th " .....	171
7th " .....	149
8th " .....	156
9th " .....	191
10th " .....	578
11th " .....	171
Total .....	1,681

[True footing..... 2,079]

Adjutant General Noble, in pursuance of instructions from Col. Jones, issued certificates for local credits to cover, in part, the 1,681 referred to. The certificates issued were for the numbers stated below :

1st District .....	12
2d " .....	49
3d " .....	131
4th " .....	163
5th " .....	171
6th " .....	137
7th " .....	181
8th " .....	173
9th " .....	

10th	"	.....	5
11th	"	.....	197

Total	.....	1,219
Unaccounted for	.....	462

Number authorized to be credited..... 1,681

Of the foregoing facts, all of which appear on record in this office, I have no personal knowledge, the different reports for credit having been made, and action taken thereon, prior to my entering upon the duties of this office. The records show the following facts as to the aggregate credits authorized and actually given, prior to my administration :

District.	No. authorized.	No. actually credited.
1st District.....	1,409	1,009
2d " .....	1,235	1,219
3d " .....	2,281	1,275
4th " .....	741	631
5th " .....	855	723
6th " .....	1,244	1,343
7th " .....	1,085	1,231
8th " .....	803	869
9th " .....	1,129	1,283
10th " .....	1,173	636
11th " .....	1,067	1,044
Total .....	12,022	11,253

The discrepancy between the numbers reported to Adjutant General, U. S. A., and approved—11,490—and the number ordered to be credited by the Provost Marshal General, was occasioned by the latter officer committing an error in the number to be given the 10th District, in a order of Sept. 17th, 1864, for a credit of 1,681, and in the footing of the statement accompanying that order, of 398, and by including the veterans of Indiana organizations who had, upon rolls, credited themselves to other States.

In justice to myself, it is proper to state that all of the business relating to the credits hereinbefore mentioned, was transacted during the time the office of Adjutant General was held by my predecessor, General Noble, and that the foregoing statement of facts has been prepared at my request, by the principal clerk of the late Adjutant General, from the books, rolls, and memoranda remaining in the office.

The following adjustment of veteran credits has been made during my administration. On the 4th of February, 1864, Brig. Gen. T. G. Pitcher, Acting Assistant Provost Marshal General, furnished this

office with a "statement of credits given to the State of Indiana on the books" of his office, "for re-enlisted veteran volunteers of that State;" showing that but 11,253, of the 11,490 allowed, had been actually credited, leaving 237 still unaccredited. Application being made to the Provost Marshal General for authority to credit these omitted veterans, the following telegram was received:

"WAR DEPARTMENT,  
"PROVOST MARSHAL GENERAL'S BUREAU,  
"WASHINGTON, D. C., February 6, 1865. }

"GEN. W. H. H. TERRELL,

*"Adjutant General, Indianapolis, Indiana:*

"The credit of re-enlisted veterans to the State of Indiana appears upon our books as 11,490, and agrees with the figures in your office. General Pitcher has been directed to make the distribution of the 237 certified by him as not credited.

(Signed)

"JAMES B. FRY,  
"Provost Marshal General."

It was claimed by me that each of the 237 should be credited as three men, and not as a unit, and the question being referred to the Provost Marshal General's Bureau, it was decided adversely, as will be seen from the following letter received by Gen. Pitcher:

"WAR DEPARTMENT,  
"PROVOST MARSHAL GENERAL'S BUREAU,  
"WASHINGTON, Feb. 11, 1865. }

"BRIG. GEN. T. G. PITCHER, U. S. VOL'S.,

*"Act'g Ass't Provost Marshal General, Indianapolis Indiana:*

"GENERAL:—The Provost Marshal General directs that, in distributing the credits to which the localities in the State of Indiana are entitled, on account of the 237 veterans authorized by his telegram of the 6th instant, that as these credits have not been applied on the July call, they are each a credit for three years of service, and you will reduce the quotas for the localities entitled to the credit, by deducting the number of men to which they are entitled, amounting in the aggregate to 237.

"I am, General, very respectfully,

"Your obedient servant,

(Signed)

"N. L. JEFFRIES,

"Col. Vet. Res. Corps."

The duty of assigning said unassigned re-enlisted veterans for credit having devolved on the undersigned, I thought it my duty to

assign them to such localities as would pay, for their benefit, a fair local bounty for the credits thus given, and the following distribution of the same was accordingly made :

LOCALITIES ASSIGNED TO.	No. Assigned.	Co.	Reg't.	Am't of Bounty	Total Amount.
Orange township, Rush Co.-----	10	5th Battery-----	-----		
	2	-----	59th. }	\$500 00	\$6,000 00
Clinton township, Decatur Co.----	3	3d Battery-----	-----	500 00	1,500 00
Salt Creek township, Decatur Co.---	6	3d Battery-----	-----		
	2	-----	59th. }	400 00	3,200 00
Fairview township, Fayette Co.----	13	E-----	25th. }		
	2	A-----	30th. }	400 00	6,000 00
Jackson township, Shelby Co.-----	22	E-----	25th. }	400 00	8,800 00
Liberty township, Shelby Co.-----	18	A-----	30th. }		
	4	B-----	30th. }	400 00	8,800 00
City of Indianapolis, Marion Co.---	52	B, F, G, I & K	13th. }		
	57	{ B, C, D, E, }	30th. }	400 00	43,600 00
		{ F, G, and I, }			
Centre township, Marion Co.-----	7	I-----	30th. }		
	21	D-----	48th. }	400 00	18,400 00
	12	-----	59th }		
	6	3d Battery-----	-----		
Total-----	237				\$96,300 00

Said bounties being the highest which could be obtained for said credits, were duly paid, and the money deposited by the local authorities in the First National Bank of Indianapolis, to the credit of each veteran, by name, and a certificate of deposit issued for the amount, in each case, payable to the order of the proper party, or, in the event of his death, to the order of his widow, or, if he have no widow, to his father or widowed mother ; otherwise, to his legal heirs. And, in case said bounty shall remain unclaimed for the period of two years, it is provided, in the certificate of deposit, that the money shall be paid into the State Treasury to the credit of the fund arising from " Estates without heirs."

Very respectfully,

Your obedient servant,

W. H. H. TERRELL,

*Adj't Gen. Indiana.*

Mr. Newcomb, offered the following resolution :

*Resolved*, That the Speaker of this House, be requested to draw his warrant on the Auditor of State for the sum of \$60, in favor of each of the following named persons, as employees of this House,



Capt. J. H. Dooley, Mr. Stringer, Mr. Busby, Adison M. Elkins, Mr. Douglass, S. C. Cochran, Doorkeepers and folders.

Mr. Dunham, moved to include Capt. Browning.

Mr. Branham, moved to lay the resolution on the table.  
Which was agreed to.

Mr. Branham, offered the following resolution :

*Resolved*, That the Principal Clerk of this House be instructed to file all the bills, books and papers of this House, now in his possession, with the State Librarian and take his receipt therefor, and place said receipt upon the journal of to-day.

Which was agreed to.

Mr. Riford, offered the following resolution :

WHEREAS, The Proprietors of the Indianapolis Journal have expressed their willingness to furnish that paper to the members of this House until all the Legislative proceedings are published, therefore,

*Be it Resolved*, That the members of this House, tender to the Proprietors of the Journal, our thanks for this and many other favors which we have received at their hands during the present session.

Which was agreed to.

Mr. Burton, offered the following resolution :

WHEREAS, The Government, under the administration of Mr. Lincoln, has recently adopted the wise policy of attempting to restore the Union by offering the olive branch in connection with the sword,

AND WHEREAS, this attempt has resulted in a conference between the Federal and Confederate authorities at Fortress Monroe,

AND WHEREAS, Nothing definite was stated in said conference, and nothing definite was agreed upon, therefore,

*Resolved*, That the President, for this first step towards an amicable adjustment of our National trouble, whether successful or not, should receive the thanks and encouragement of every true patriot and philanthropist in the land.

*Resolved further*, That we will hail with patriotic joy and pride, the

speedy return of peace to our bleeding country upon the basis of the old Union, under the old Constitution, but upon no other.

Which was referred to the Committee on Federal Relations.

Mr. Buskirk, offered the following resolution :

*Resolved*, That John Lenehan, be allowed the sum of thirty dollars, for six days services during the present session, in splitting wood, under the direction and by the employment of the State Librarian, and that the same be paid on the certificate of the Speaker.

Which was not agreed to.

Mr. Miller, from the Joint Special Committee, made the following report :

MR. SPEAKER :

The Joint Committee, appointed on the part of the House, to wait on the Governor, to know if he had any further communication to make to this House, have performed that duty, and report that his Excellency has no further communication to make to this General Assembly.

Mr. Buskirk, offered the following resolution :

*Resolved*, That the Senate be informed that the House has completed all the business and legislation that can be done at the present time, and that the House is now ready to adjourn.

Which was agreed to.

The Speaker laid before the House the following receipt from the Librarian :

STATE LIBRARY, }  
Indianapolis, March 6th, 1865. }

Received of Cyrus T. Nixon, Principal Clerk, House of Representatives, two Registry books and numerous bills and papers, both of finished and unfinished business, to be kept until called for by order of the next General Assembly, or by order of the Speaker or Clerk of the present House. This receipt given by order of the House of Representatives of this day.

B. F. FOSTER,  
State Librarian.

Mr. Burton offered the following resolution :

*Resolved*, That the thanks of this House be tendered to Areal Drapier and Charles P. Baymiller, for the prompt and impartial man-

ner in which they have reported the proceedings of this House during the present session.

Which was agreed to.

On motion by Mr. Newcomb.

The House adjourned.

2 o'clock, P. M.

The House met.

Mr. Newcomb, offered the following resolution :

*Resolved*, That Balway & Kendlee, be allowed the sum of fifty dollars for repairs to the Representatives Hall, made in December 1862, but if the sum be provided for in the specific appropriation bill, it shall not be twice paid.

Which was agreed to.

Mr. Newcomb, from a Select Committee, made the following report :

MR. SPEAKER :

The undersigned, one of the Select Committee, to whom was referred the message of the Governor, with the opinion of the Judges of the Supreme Court, as to the number of legislative days allowed by the Constitution to the General Assembly, beg leave to say, that he agreed to the majority report, because he deemed it doubtful whether a quorum could be kept in attendance for a longer period at the present session, and because he had been informed that the Judiciary Committee of the Senate had reported against a continuance of the session.

The undersigned further states, that he agrees in opinion with the Governor and Judges as to the legal question involved, but regards it as unnecessary to go into the reason for his opinion in view of the impracticability of extending the session.

Mr. Buskirk offered the following report on the Governor's message, which was ordered to be spread on the Journal :

This session of the General Assembly began on the 5th day of

January, 1865, and the question is, when must it end? The language of the Constitution on the subject is found in section 29 of article 4 and is as follows: "No session of the General Assembly, except the first under this Constitution, shall extend beyond the term of 60 days, nor any special session beyond the term of 40 days."

Words are to be understood in their plain and ordinary sense. A civil day, or a day when mentioned in a constitution or statute, means a period of twenty-four hours, beginning and ending at twelve o'clock at night. Sunday is a day as well as week days. There is no difficulty in arriving at what is meant by the word "session." It means, in this instance, the time during which the Legislature sits with occasional intermission of a day or more, until its final adjournment.

The word "term" used in this clause of the Constitution, and used in eight or ten other places in the same instrument, means a period or length of time from one given date to another. To find the true meaning of the word, when it is used in the Constitution, we must look at other parts of that instrument, as well as the one under consideration. All parts of it were made at the same time, and by the same persons. A strange use may be made for a word in an instrument, but if you find the words used in many other places in the same paper in the same sense, it must have the meaning which from the whole instrument the party intended it to have.

We do not mean to say that the word is improperly used in this instance. We think it is not. Let us look to its meaning in other places in the Constitution. In article 2d, section 6, the word "term" is used with reference to the time during which a person may hold an office. In article 4, section 3, it is said "Senators shall be chosen for the term of four years." In article 5, section 9, the official term of the Governor and Lieutenant Governor shall commence, &c. In the same article, section 22, it is provided that the Governor's salary shall not be increased or diminished during the term for which he shall have been elected; and in section 24, neither the Governor nor the Lieutenant Governor shall be eligible to any other office during the term for which he shall have been elected. In article 7, section 9, Circuit Judges shall hold their office for the term of six years, &c. and in section 16 of the same article, no person elected to any judicial office, shall, during the term for which he was elected, &c. In the 5th clause of the schedule, the word is used, and in the 13th clause, it is twice used in the same sense.

We cannot see that it can make any difference whether the period of time is to be computed by days, weeks, months or years. It is a continuous period, made up of successive days in either case, and as Sundays are days, why should they be excluded, unless the language or words used and for which a proper construction is sought expressly require it.

Had the language of the Constitution been that the General Assembly should not sit, or not be in session more than sixty or 60 days, it might then be construed to exclude all days when the Legis-

ature was not actually in session or doing business, as well Sundays as other days. At this session, the sixty-one days, if we include Sundays, expires on the 6th day of March. Now, if the General Assembly shall be in session on the 10th of March, is not that beyond the term of sixty-one days from the time the session began? We think that where a period or term of time is to be reckoned in days, months or years, that Sundays must be included unless expressly excluded. If money is to be paid, or any other act performed in thirty, sixty or any other number of days, the Sundays falling within that time must be counted. Such is the rule in computing the ten days' notice to a party sued, and such is the rule where a party is required to appeal within a certain number of days. The Sundays are counted against him, and yet they are not days on which he should be engaged in performing his defense or perfecting his appeal. Where it is intended that Sundays shall be excluded it is so expressed in the Constitution, and in our statutes, and as Sundays are excepted in the section in regard to the approval of bills by the Governor, it furnishes ground to suppose that if it had been intended in the other case it would have been so expressed.

Sundays and certain holidays are spoken of as non-legislative days, but we do not understand by this that legislative business can not be done on these days, but only that, by a kind of common consent, it is not done. It is expressly laid down in Cushing's Manual that legislative business may be done on Sundays, and instances can be cited where it has been done; but still he says Sunday is a non-legislative day. We must not be understood as saying that legislative business ought to be done on Sunday. But suppose the Legislature should meet on each successive day from the commencement of the session, and suppose bills to have one of their indispensable readings, or to be passed on a Sunday, would the act be void? There is no provision in the State Constitution which prevents the Legislature from being in session on Sunday. Legislation is not enumerated among the acts prohibited by the Sunday law. If it was, might it not, in some possible case, become a work of necessity, and for that reason be allowable?

There was a reason for fixing upon sixty-one days as the length of the session, rather than some more convenient and an even number of days. By a previous section of the Constitution, the time when the session must begin was fixed; it was upon the Thursday after the first Monday of January. Counting sixty days from that time, and the session would always close, or the time would expire on Sunday. We now, from some who were members of the Convention, and it is pretty commonly understood, that sixty days was the term first agreed on, and that the odd day was added to prevent the termination of the period on Sunday.

The Legislature had some kind of limitation of its session prior to the adoption of this Constitution, but as it was only by virtue of a statute, it was subject to change, and, as we now recollect, it only operated by way of reducing or cutting off pay, after certain lapse

of time, legislation was necessary, and the term closed before the sixty-one days expired, Sundays included.

Contemporaneous construction of constitutions and statutes is of very great weight in ascertaining their true meanings ; and by this we mean not only what occurred at the exact time, but also that which prevailed soon afterward. The reasons for this are that those who lived at the time, and who were acquainted with the causes which induced the making of the provision or enactment, and just had occasion to act upon it, or construe it, are presumed to be better able to know its true construction than those who live at a more remote period.

The first session of the Legislature, under the present Constitution, was unlimited as to its duration. At the next session, that in 1853, very little.

At the session in 1857, the question was raised, and was settled by a concurrent resolution passed by both Houses, which is found on page —, of the Journal of the House. Then the session began on the 8th of January, and, according to the resolution, ended on the 9th day of March, which made just 61 days, Sundays included.

At the session in 1859, in House Journal, page 908, the opinion of the Judiciary Committee is given in accordance with our opinions.

At the session in 1861, the subject was referred to the Judiciary Committee, and their report is found on page 961. This session began on the 10th of January, and ended on the 11th of March, just sixty-one days, Sundays included.

At the session in 1863, and on the 12th day of February, 1863, resolutions were introduced and adopted as found on page 330 of the Senate Journal.

Which shows that it was believed that the session ended in sixty-one days, Sundays included.

For these reasons, we come to the conclusion that the session must end at the expiration of the term of sixty-one days, including Sundays, and that bills could only be presented to the Governor for approval as late as Saturday, the 4th inst. We recommend the adoption of the same resolution which was adopted by both houses in 1857, changing only the dates to make it apply to the present year, as follows :

*Resolved*, That this session of the General Assembly, which began on the 5th day of January, must end on the 6th day of March, and that bills could be presented to the Governor as late as the 4th.

SAMUEL H. BUSKIRK,  
JOHN R. COFFROTH.

Mr. Hamrick moved a call of the House, when the following members answered to their names :

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burwell, Buskirk, Chambers, Church, Cook, Croan, Crook, Dunham, Emerson, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren,

Griffith, Hamrick, Harrison, Henricks, Higgins, Hogate, Howard, Hunt, Kilgore, Lockhart, Lopp, Miller of Tippecanoe, McVey, Newcomb, O'Brien, Olleman, Osborn, Reese, Rhoads, Rice, Riford, Shoaff of Jay, Shuey, Sim, Steward, Stuckey, Sullivan of Scott, Trusler, Upson, Veach, Welch, White, Woods, Wright and Mr. Speaker—53.

Mr. Buskirk moved the House do now adjourn *sine die*.

Which was agreed to.

The Speaker, at ten minutes past 3 o'clock, P. M., declared the House adjourned *sine die*.

T. W. O. BRAFFETT,  
Ass't Clerk *House of Representatives*.

## QUESTIONS OF ORDER,

DECIDED BY THE SPEAKER AT THE FORTY-FOURTH SESSION OF  
THE GENERAL ASSEMBLY.

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Saturday January 13th, 1865, page 90, 105, Senate bill No. 3 was read a first time, and passed to a second reading

Mr. Trusler moved to declare it expedient to suspend the Constitutional rule, requiring bills to be read on three several days in each House, that the same may be read a second time now.

Upon which motion the vote was as follows :

Ayes 55—noes 26.

The Speaker decided the Constitutional rule to be suspended, and that the second reading of the bill was now in order.

Mr. Buskirk raised the following point of order, viz: That there not being two-thirds of one hundred members present, and voting in the affirmative, there was no suspension.

Whereupon, the Speaker decided that two-thirds of the members present, if the same amounted to a quorum, was sufficient to suspend the rules.

Mr. Buskirk appealed from the decision of the Chair.

Mr. Trusler then had unanimous consent to withdraw his motion to suspend the rules.

Thursday, January 19th, 1865, page 128. The resolution of Mr. Miller, of Tippecanoe, touching the competency of the Hon. Charles B. Lasselle to sit as a member of the House, then pending.

Mr. Coffroth moved to make it the special order for Wednesday, at 10 o'clock, A. M.



Mr. Newcomb moved to refer the same to the Committee on Rights and Privileges of the Inhabitants of the State.

Mr. Rice demanded the previous question.  
Which was seconded.

The question being, shall the main question be now put?  
It was agreed to.

The Speaker stated the question as now occurring on the adoption of the resolution.

Mr. Buskirk raised the point of order, that the question, as now occurring under that part of the 35th rule of the House, which is in these words :

"35. The previous question shall be in this form : "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present, and its effect shall be to put an end to all debate, and bring the House to a direct vote upon amendments reported by a Committee, if any; upon pending amendments, and then upon the main question." The question was on Mr. Newcomb's motion to refer the resolution to the Committee on the Rights and Privileges of the Inhabitants of the State.

The Speaker over-ruled the point of order for the following reasons, viz : That the effect of the previous question, in American practice, depends not upon the parliamentary law, but upon the regulation of each deliberative body; and that by rule 35th of this House the previous question is declared to have the effect of bringing on a vote at once on the main question, cutting off incidental questions; differing in this respect from the 50th rule of the U. S. House of Representatives, which reads, "the previous question shall be in this form : "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present, and its effect shall be to put an end to all debate, and bring the House to a direct vote upon a motion to commit, if such motion shall have been made; and if this motion does not prevail, then upon amendments reported by a committee, if any; then upon pending amendments, and then upon the main question."

Saturday, January 21st, 1865, page 149, Senate bill No. 49 was taken up and read the second time.

Mr. Buskirk offered an amendment.

Mr. Church demanded the previous question.  
Which was ordered—ayes 44; nays 35.

The Speaker ruled that as, under the Constitution, the third reading of the bill was not in order on that day. The previous question was spent on agreeing or disagreeing to the pending amendment; whereas, if the third reading of the bill was at that time in order, the previous question would, in addition, embrace the third reading of the bill."

Tuesday, January 24th, 1865, page 165, Senate bill No. 49 being under consideration, and the previous question having been ordered upon its passage.

Mr. Brown moved to adjourn.

The ayes and noes were demanded by Messrs. Brown, Dunham, and Coffroth.

The question was put by the Speaker, who announced that the House then refused to adjourn.

Mr. Dunham raised the point of order, that the ayes and noes having been demanded by three members, that the vote should be taken by ayes and noes.

The Speaker overruled the point of order, upon the grounds that by the proviso of the 17th section of the 15th Article of the Constitution, not less than seven members can demand the ayes and noes on motion to adjourn, it always being presumed, in the absence of a count, that a full quorum of members is in attendance upon the House.

Tuesday, January 24th, 1865, page 165, engrossed Senate bill No. 49 being under consideration, and the previous question having been ordered on its passage.

Mr. Dunham moved to commit the same to the Committee of Ways and Means, with instructions.

The Chair ruled the motion out of order, for the reason that by the 59th rule of the House a bill may not be re-committed, after engrossment, except by unanimous consent.

Friday, January 27th, 1865, page 209, Senate bill No. 1 being under consideration, and having been read the second time.

Mr. Brown offered the following amendment:

"Strike out "for absence," and insert "on account of their having bolted, and failed to return until the constitutional term of the House had expired."

Which amendment Mr. Miller, of Tippecanoe, moved to lay on the table.

And it was so ordered—ayes 49; noes 33.

Mr. Dunham asked if the effect of laying the amendment on the table was not to carry the bill with it to the table.

The Speaker ruled, that though this was the ordinary effect in parliamentary practice, yet that the long established usage of this House had been to the contrary, and that by this means its usage becomes its law.

Thursday, February 2d, 1865, page 277, Senate bill No. 42 having been read the first time,

Mr. Puett moved to declare it expedient to suspend the Constitutional rule, (Article iv, sec. 18,) requiring every bill to be read by sections, on three several days in each House, in order that the same may be read the second time now.

Mr. Whiteside raised the question of order, that two several motions were necessary. 1st, To dispense with reading the bill by sections, and 2d, to allow it to be read again the same day.

The Speaker decided that Mr. Puett's motion was in order, because, by the language of the Constitution, reading by section and reading on three several days, are spoken of as "this rule," as forming but one rule; and that, therefore, the suspension of the constitutional rule, which is accomplished by one motion, embraces both subjects.

Thursday, February 2, 1865, page 280, Senate bill No. 1—A bill appropriating seventy-five thousand dollars (\$75,000.00) for the expenses of the present session of the General Assembly, and providing the manner of payment of the members and officers, and their assistants and appointees, of the Senate and House of Representatives,

Was taken up.

Mr. Branham offered the following amendment:

And that the further sum of one hundred and thirty-five thousand dollars be appropriated out of the Treasury, to repay the principal of loans made to the Governor of Indiana for the support of the Benevolent Institutions, State Prison, &c., as follows:

FROM WHAT SOURCE RECEIVED.	DATE RECEIVED.	AMOUNT.	TOTAL.
To Decatur county.....	June 13, 1863.....	.....	\$7,000 00
Tippecanoe county.....	June 15, 1863.....	.....	5,000 00
Marion county, .....	June 15, 1863.....	\$10,000 00	
Marion county.....	February 1, 1864.	16,000 00	
			<u>20,000 00</u>

Vermillion county.....	June 18, 1863.....	250 00
Hendricks county .....	June 19, 1863.....	6,500 00
Hendricks county .....	July 15, 1863.....	3,450 00
		<hr/>
Henry county.....	June 23, 1863.....	10,000 00
Lake county.....	June 23, 1863.....	6,000 00
Parke county.....	June 23, 1863.....	1,000 00
Fayette county.....	June 23, 1863.....	2,000 00
Lagrange county.....	June 27, 1863.....	5,000 09
Wabash county.....	June 27, 1863.....	4,000 00
W. S. Reid and others, citizens of Wayne county...	June 29, 1863.....	10,000 00
Delaware county .....	August 3, 1863...	20,000 00
Warren county.....	August 5, 1863.....	5,000 00
Boone county.....	August 24, 1863..	2,500 00
	Sept. 25, 1863.....	1,200 00
	Jan. 14, 1864.....	8,800 00
		<hr/>
Hamilton county .....	Jan. 27, 1864.....	5,000 00
Terre Haute & Richmond R. R. Co.....	Oct. 30, 1863.....	2,000 00
W. R. McKeen.....	Jan. 19, 1864.....	15,000 00
St. Joseph county.....	Feb. 5, 1864.....	10,000 00
		3,000 00
		<hr/>
Total.....		\$135,000 00

With interest at 6 per cent. per annum from date loans were received, until date of re-payment, except on \$20,000 borrowed from citizens of Wayne county, on which interest has been paid to Aug. 3, 1865, and on which loan interest shall be deducted at 6 per cent. from date principal is repaid to said 3d day of August, 1865.

Mr. Brown raised the question of order, that the question proposed by the amendment was on a subject different from that under consideration, and that the same, by the 21st rule, could not be admitted to this bill under color of amendment.

The Speaker overruled the question of order, for the reason that, by the usage of the Legislation of this General Assembly, acts making appropriations were distinguished into General Appropriation Bills and Specific Appropriation Bills; and that whatever appropriations fell into either of these classes belong to the same subject.

Saturday, Feb. 25, 1865, pages 604-648, Mr. Branham offered the following resolution:

*Resolved*, That House bills Nos. 176, 153 and 140 be made the special order at 10½ o'clock to-day.

Mr. Branham moved the previous question, which was seconded, and the main question ordered—ayes, 54; nays, 27.

Mr. Brown moved that the House do now adjourn.

Which motion the House refused—ayes, 22; noes, 57.

Mr. Harrison moved to reconsider the vote just taken, whereby the House refused to adjourn.

Which motion the Speaker ruled to be out of order.

Mr. Dunham presented the following appeal from the decision of the Chair :

From the decision of the Chair, on the motion of the gentleman from Shelby (Mr. Harrison) to reconsider the vote upon adjourning just taken, deciding that such motion is out of order, we appeal.

C. L. DUNHAM,  
JASON B. BROWN,  
J. R. COFFROTH,  
O. BIRD,  
S. H. BUSKIRK,  
GEO. C. THATCHER,  
JOHN P. SHOAFF.

The question being, shall the decision of the Chair, stand as the judgment of the House :

Messrs. Coffroth and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cook, Crook, Emerson, Ferris, Goodman, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Lane, Lockhart, Major, Montgomery, McVey, Newcomb, Rice, Riford, Sabin, Shuey, Stivers, Steward, Stringer, Upson, Welch, Willis, Woodruff, Woods and Wright—41.

Those who voted in the negative who were,

Messrs. Beckett, Bird, Brown, Burwell, Buskirk, Coffroth, Croan, Dunham, Glazebrook, Hargrove, Howard, Humphreys, Hunt, Laselle, Lemon, Lopp, Miller of Clinton, Milroy, O'Brien, Osborn, Perigo, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Spencer and Stuckey—28.

So the decision was sustained.

Saturday, February 25, 1865, page 618, pending the same question, and after the previous question had been ordered,

Mr. Dunham moved that when the House adjourn, it be till 12½ o'clock on Monday next.

Mr. Brown obtained the floor and was speaking, when the Speaker ruled that, inasmuch as the previous question had been ordered, all debate was out of order.

Monday, February 27th, 1865, pending the same question, and the previous question having been ordered,

Mr. Coffroth offered the following :

Upon the motion to adjourn, I ask to be excused from voting.

Mr. Henricks made the following point of order :

“Section twelve of Article four of the Constitution, among other things, provides that “the ayes and nays on any question shall, at the request of any two members, be entered, together with the names of the members demanding the same, on the Journal.” The subject of that article being legislative, the term question must mean a legislative question, or a question having some relation or connection with the subject of legislation. The mere request to be excused from voting, and especially to be excused from voting on a motion to adjourn, which of itself is only to determine when the House shall be in session, and has no reference to what it shall do, can not be regarded as a legislative question. The request to be excused from voting on the motion to adjourn, now pending before the House, made by the gentleman from Huntington, can not be regarded as a legislative question under the Constitution, unless we admit that the framers of that instrument intended to place it in the power of a few members of the House to stop all legislation by consuming the time of the House in calling the ayes and nays on questions having no reference to legislation, and thereby filling the Journal of the House with a large amount of useless matter, involving a heavy expense to the State for printing. For these and other reasons, I make the point of order, that no two members have a right, under the Constitution, to demand the ayes and nays on a mere request of a member to be excused from voting.”

Which point of order the Speaker overruled for the reason that the Constitution does not distinguish that the ayes and noes shall be taken on some questions, and not on others, but provides that the ayes and noes shall be taken “on *any* question,” when demanded by two members and entered on the Journal, determining thereby every question arising in the course of legislation.

February 27th, 1865, page 654, pending the same question, and after the previous question was ordered.

Mr. Dunham moved that when this House adjourn, it adjourn to meet on Wednesday of this week at 12 o'clock, M.

Mr. Buskirk asked to be excused from voting on the motion.  
Which the House refused—ayes 12; noes 50.

Mr. Brown moved to reconsider the vote by which the gentleman from Monroe was not excused from voting on the pending question.

The Speaker ruled the motion to be out of order.

Monday 27th, 1855, page 663, pending a motion to adjourn, (Mr. Henricks in the Chair,) Mr. Dunham asked to be excused from voting.

Mr. Brankham presented the following point of order :

That inasmuch as it is the design of the minority of this House, to defeat the measures embraced in the resolution, the main question for which has been ordered, all debate, amendments and motions of every character, are out of order until the main question has been decided, and that the House now proceed to a vote on said main question.

Which was sustained by the Speaker.

Ruling that the main question having been ordered by the House, all questions except on motion to adjourn, are out of order until the vote is taken on the main question.

Whereupon the following appeal was submitted :

MR. SPEAKER :

We appeal from the decision of the Chair in ruling out of order the pending motion to adjourn until to-morrow at 12 o'clock M., and also in ruling out of order the pending appeal of the gentleman from Jackson, Mr Brown.

J. R. COFFROTH,  
GEO. C. THATCHER,  
E. M. SPENCER,  
C. L. DUNHAM,  
H. BECKETT,  
S. BUSKIRK.

The question being, shall the decision of the Chair, stand as the judgment of the House.

Messrs. Coffroth and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Banta, Bonner, Boyd, Branham, Burnes, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lane, Lockhart, Major,



Meredith, Montgomery, McVey, Newcomb, Olleman, Rhoads, Rice, Riford, Sabin, Steward, Stivers, Stringer, Upson, Welch, Whiteside, Willis, Woodruff, Woods and Wright—46.

Those who voted in the negative were,

Messrs. Abbett, Brown, Burwell, Buskirk, Chambers, Coffroth, Glazebrook, Hargrove, Harrison, Hunt, Lasselle, Miller of Clinton, O'Brien, Patterson and Perigo—16.

Present and refusing to vote were Messrs. Croan, Howard, Lemon, Milroy, Spencer and Hunt—6.

So the decision of the Chair was sustained.

Monday February 27th, 1865, pages 664, 668, pending the same question, the Speaker, (Mr. Henricks) in the Chair, decided, that members within the Hall of the House, though not within the bar, were to be counted as a part of the quorum.

Saturday March 4th, 1865, page 789. The Journal having been read, Mr. Coffroth asked if a paper, purporting to be a protest, signed and presented by himself and others, to the House, on a previous day, had been entered on the Journal.

The Speaker answered decidedly, that a paper assuming to be a protest, does not go, of right, upon the Journal, but it first belongs to the House to decide what is the character of the paper, and it is then placed upon the Journal, only by its vote.

Saturday March 4th, 1865, page 789, pending the call for petitions, memorials and remonstrances, Mr. Coffroth moved to suspend the order of business and take from the files a certain protest informally offered to the House some days since, against the decision of the Speaker in entertaining the adoption of a certain resolution offered by Mr. Branham, in relation to taking up the General Appropriation bills &c.

The Speaker decided that the motion to take the paper from the files was not in order when petitions were called for, but would be in order on calling for resolutions.

Upon which, Mr. Coffroth presented the following appeal from the decision of the Chair in ruling out of order the motion of the gentleman from Huntington to suspend the order of business so that the protest of certain of the members of the House may be entered upon the Journal, we appeal.

J. R. COFFROTH,  
J. R. O'BRIEN,  
A. J. BECKETT,  
GEO. C. THATCHER,  
SAM'L H. BUSKIRK,  
JASON B. BROWN.



The question being, shall the decision of the Chair, stand as the judgment of the House.

Messrs Brown and Coffroth, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Chambers, Church, Cook, Cox, Crook, Emerson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Lane, Lockhart, Miller of Tippecanoe, McVey, Olleman, Reese, Riford, Sabin, Shuey, Steward, Stivers, Stringer, Trusler, Upson, Welch, Whiteside, Willis, Woodruff and Woods—44.

Those who voted in the negative were,

Messrs. Abbett, Beckett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Croan, Dunham, Glazebrook, Griffith, Hargrove, Harrison, Howard, Hunt, Lemon, Lopp, O'Brien, Osborn, Patterson, Perigo, Rhoads, Rice Richards, Roach, Shoaff of Allen, Shoaff of Jay, Stenger, Stuckey, Sullivan of Scott, Thatcher and White—33.

So the decision of the Chair was sustained.

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### SPEAKER'S VALEDICTORY.

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This should have been inserted at the close of the proceedings, but, by mistake, was overlooked.

The Speaker said : Before putting the pending motion to adjourn, I ask the indulgence of the House to repeat my grateful acknowledgments for the honor done me in selecting me for this place of honor, for the steady support it has given me in upholding its authority ; and now for the courteous resolution in which it has expressed its approval of my conduct. I have endeavored to requite your confidence, by administering conscientiously and consistently, your rules as they came from yourselves ; nor, now, looking back upon what has been decided, can I find an instance which my present deliberate judgment does not approve.

We have reached the end of that term when, by the usage of this body, it become my duty to declare it dissolved without day. Not-

withstanding the great importance of a few days more time, to perfect measures of pressing public justice and necessity, and notwithstanding my clear conviction that, as an original question, the authors of the constitution meant only legislative days as forming the session, in this, as in all other examples in which I have maintained the usages of this House, I cannot here and should not oppose myself to its deliberate judgment and authority so uniformly expressed.

Our separation now, which breaks our common bond and fellowship of public duty, has its necessary pain, but I find in it the pleasure of being able to remember when I shall recall it hereafter, a manly, public-spirited, and generous intercourse, which has strengthened our regard for each other and our love for the public service. Such will be my only memory of this General Assembly.

I hope it will be cherished, in this manner, by all of us. If there have been gusts of feeling, we can charitably set them down to the best side of the weaknesses of human nature, honest impulses, and can now afford to forget them—to forget them all. Our public duties have concerned love of country, love of public order, industry, education, progress. We have done much, I think, that aftertimes will gratefully preserve. Nor should our interest in these objects abate, because our official labors seem ended, and we shall soon pursue walks of private life. The task of private duty will then, and always, be on us, for duty is but another name for the allegiance we owe to the Eternal Throne.

In parting from this place and these associates of public service, I commend you to your families, made happy by your return, to the love of your constituents, honored in your persons, and the watchful keeping of the Almighty and Universal Father.

The Speaker then declared the House of Representatives adjourned *sine die*.

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Appeared and was sworn.....	4
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## BURTON, STEPHEN G.—

Appeared and was sworn.....	5
Motions by.....	55, 228, 727
Resolutions by.....	109, 132, 673, 874
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## BURNES, JOHN L.—

Appeared and was sworn.....	5
Motions by.....	97, 117, 127, 134, 145, 195, 218, 228, 229, 230, 268, 281, 308, 309, 350, 369, 370, 436, 466, 530, 559, 581, 682, 696, 758
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Appeared and was sworn.....	3
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Appeared and was sworn.....	4
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## C.

## CHAMBERS, DAVID W.—

Appeared and was sworn.....	4
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## CHURCH, FIRMAN—

Appeared and was sworn.....	4
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## COFFROTH, JOHN R.—

Appeared and was sworn.....	4
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Appeared and was sworn.....	3
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## COOK, FRED. W.—

Appeared and was sworn.....	5
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Appeared and was sworn.....	5
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Appeared and was sworn.....	4
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Appeared and was sworn.....	4
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## GROVES, HENRY—

Appeared and was sworn.....	4
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## HENRICKS, JOHN A.—

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Appeared and was sworn.....	5
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## HIGGINS, WILLIAM W.—

Appeared and was sworn.....	4
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Appeared and was sworn.....	4
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Appeared and was sworn.....	4
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Appeared and was sworn.....	3
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Appeared and was sworn.....	15
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Appeared and was sworn.....	4
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Appeared and was sworn.....	4
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Appeared and was sworn.....	285
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Appeared and was sworn.....	4
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Appeared and was sworn.....	3
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## LOPP, JOHN W.—

Appeared and was sworn.....	4
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## M.

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Appeared and was sworn.....	4
Motions by.....	148, 355, 368, 580, 603, 695, 696
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Appeared and was sworn.....	5
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## MILLER, J. L., (of Tippecanoe)—

Appeared and was sworn.....	5
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Appeared and was sworn.....	3
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Appeared and was sworn.....	4
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## N.

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recommending the passage of House bill, No. 195.....	721
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recommending passage of House bill, No. 86.....	288
recommending passage of House bill, No. 55.....	289
recommending passage of House bill, No. 78.....	312
recommending passage of House bill, No. 126.....	381
recommending amendments to House bill, No. 23, and then its passage.....	601
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## REESE, THOMAS W.—

Appeared and was sworn.....	4
Resolutions by.....	107
Bills introduced by.....	106
Motions by.....	274, 279, 488, 680, 839

## RHODES, B. E.—

Appeared and was sworn.....	5
Motions by.....	94, 114, 134, 137, 149, 166, 179, 228, 231, 247, 252, 257, 273, 284, 326, 343, 345, 372, 388, 394, 424, 425, 427, 447, 448, 468, 569, 570, 571, 687, 696, 704, 711, 715, 721, 727, 747, 772, 776, 787, 792, 812, 820, 824, 836, 839, 841, 848
Petitions presented by.....	114, 399, 401
Bills introduced by.....	104, 172, 237, 468
Resolutions by.....	192, 416

## RICHARDSON, J. W.—

Appeared and was sworn.....	4
Leave of absence granted to.....	134, 274

## RICHARDSON, JOHN M.—

Voted for Trustee of Deaf and Dumb Asylum.....	199
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## RICE, THOMAS N.—

Appeared and was sworn.....	4
Resolutions by.....	12, 64, 131, 846
Motions by.....	54, 129, 312, 471, 552, 555, 575, 679
Bills introduced by.....	61, 73

## RIFORD, JOSEPH—

Appeared and was sworn.....	4
Motions by.....	288, 402, 561, 603, 852
Resolutions by.....	873
Leave of absence granted to.....	210

## RICHARDS, JOHN—

Appeared and was sworn.....	3
Leave of absence granted to.....	134, 372

## ROACH, H. L.—

Appeared and was sworn.....	4
Leave of absence granted to.....	92, 299

## ROBINSON, JOHN C.—

Voted for for Assistant Clerk.....	7
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## S.

## SABIN, STEPHEN C.—

Appeared and was sworn.....	4
Motions by.....	348
Petitions presented by.....	146, 373
Leave of absence granted to.....	308

## SHAFFER, NELSON G.—

Leave of absence granted to.....	13
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Proceedings of House in reference to the death of.....	99

## SHOAFF, J. T.—(of Allen.)

Appeared and was sworn.....	3
Petitions presented by.....	178, 454
Motions by.....	612
Resolutions by.....	105, 110, 161, 248, 829
Bills introduced by.....	60, 272, 491
Leave of absence granted to.....	299

## SHOAFF, SAMUEL A.—(of Jay.)

Appeared and was sworn.....	4
Resolutions by.....	14, 100, 184, 314, 799, 854
Motions by.....	185, 227, 229, 233, 464, 604
Petitions presented by.....	428
Leave of absence granted to.....	121

## SHUEY, MICHAEL F.—

Appeared and was sworn.....	5
Resolutions by.....	247, 313
Bills introduced by.....	326, 417, 491
Motions by.....	128, 225, 233, 284, 321, 326, 489, 570, 585, 617, 704, 730, 732, 762
Petitions presented by.....	689
Leave of absence granted to.....	674

## SIM, JOHN—

Appeared and was sworn.....	5
Motions by.....	466, 549, 561, 787
Resolutions by.....	395, 808, 829
Petitions presented by.....	352, 373, 538, 690

## SKINNER, J. S.—

Voted for for Trustee of Deaf and Dumb Asylum.....	200
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## SMITH, HENRY G.—

Voted for for Sinking Fund Commissioner.....	205
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## SPANN, JOHN S.—

Elected Trustee Blind Asylum.....	198
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## SPEAKER—

John U. Pettit elected.....	5
Jason B. Brown voted for.....	5
announced special committee on stamps.....	13
authorized to employ a clerk.....	17
opens the vote for Governor and Lieutenant Governor.....	49
to appoint a clerk in stationery room.....	61
announced standing committees of the House.....	80
announcing the order of business.....	84
laid before the House memorial from Friends' Yearly Meeting.....	102
laid before House telegram announcing capture of Fort Fisher.....	113
announced special committee on Mr. Dunham's resolution of Jan. 7, 1865.....	126
announced committee on constitutional amendments.....	126
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signed House bill, No. 49.....	177
announcing special committees on organization of Courts of Common Pleas, and on House bill, No. 70.....	193
announced special committees.....	205
announced special committees.....	212
announced special committee on House bill, No. 4.....	226
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announced special committees on various resolutions.....	307, 308
signed House bills, Nos. 42 and 6.....	308
announced special committees on securities from insurance companies.....	346
announced special committee on statuary.....	346
signed House bill, No. 39.....	357
signed Senate bill, No. 23, Senate bill, No. 55, and joint resolution, No. 10.....	367
signed Senate bill, No. 1.....	371
announced special committee on petitions.....	427
signed Senate joint resolution, No. 16.....	435
announced special committee on House bill, No. 172, and Senate bill, No. 3.....	451
announced special committees.....	464
announced the fall of Charleston.....	536
signed Senate bill, No. 41.....	603
signed House bill, No. 7.....	703
signed House bill, No. 9.....	704
signed House bill, No. 160.....	711
signed House bill, No. 20.....	739
signed House bill, No. 30.....	748
signed House bill, No. 14.....	761
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signed House bills, Nos. 89 and 40.....	793
signed House bill, No. 195.....	811
signed House bill, No. 19.....	820
signed House bill, No. 202.....	839
signed Senate bills, Nos. 193, 10, and 63.....	844
signed Senate bills, Nos. 133, 101, 68, 100, 92, and 150.....	846
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## SPENCER, ELIJAH M.—

Appeared and was sworn.....	44
Motions by.....	121, 124, 126, 415, 419, 420, 451, 485, 608, 747
	610, 617, 681, 684, 686
Resolutions by.....	165
Bills introduced by.....	415

## STATE AGENT—

George A. Buskirk elected.....	74
Matthew L. Brett voted for.....	74

## STATE LIBRARIAN—

Rev. B. F. Foster elected.....	75
David Stevenson voted for for.....	75
Report from .....	95

## STATIONERY CLERK—

Report from, in reference to stationery drawn by members.....	829
Report from, stating the amount of stationery drawn by committees.....	830

## STATE PRINTER—

W. R. Holloway elected.....	73
John B. Norman voted for for.....	73

## STATE PRISON, NORTH—

Carleton E. Shipley elected Director.....	77
Col. Hugh Hannah elected Director.....	78
Joseph E. Dodge elected Director.....	79

## STATE PRISON, SOUTH—

William S. Ferrier elected Director.....	76
W. W. Shields voted for for Director.....	77

## STENGER, JOHN G.—

Appeared and was sworn.....	3
Leave of absence granted to.....	210

## STEWARD, DAVID M.—

Appeared and was sworn.....	4
Motions by.....	158, 191, 369, 604
Bills introduced by.....	63, 418
Petitions presented by.....	213, 352, 429

## STIVERS, WILLIAM—

Appeared and was sworn.....	4
Motions by.....	120, 230, 292, 320, 382, 561
Resolutions by.....	120
Leave of absence granted to.....	155, 554

## STURGES, CHARLES E.—

Voted for for Sinking Fund Commissioner.....	293
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## STUCKEY, JOHN M.—

Appeared and was sworn.....	4
Bills introduced by.....	184
Petitions presented by.....	399, 554
Leave of absence granted to.....	90

## STRINGER, THOMAS M.—

Appeared and was sworn.....	3
Resolutions by.....	13
Motions by.....	227, 230, 234, 257, 260, 271, 291, 336, 590, 750, 752, 793
Petitions presented by.....	213, 352
Bills introduced by.....	160, 250, 299, 324, 339
Withdrew resolution on contested seats.....	14
Leave of absence granted to.....	86, 90, 308

## SULLIVAN, E. T.,—(of Posey.)

Appeared and was sworn.....	5
Motions by.....	97, 198, 756, 803
Leave of absence granted to.....	64, 134

## SULLIVAN, THOMAS M.,—(of Scott.)

Appeared and was sworn.....	4
Motions by.....	211, 228, 230, 232, 234, 301
Bills introduced by.....	254
Petitions presented by.....	400
Leave of absence granted to.....	145

## T.

## THATCHER, GEO. C.—

Appeared and was sworn.....	4
Motions by.....	15, 114, 134, 198, 226, 268, 305, 423, 615, 754
Resolutions by.....	106, 121, 568
Bills introduced by.....	132, 327, 358, 457

## TRUSSLER, GILBERT—

Appeared and was sworn.....	5
Motions by.....	90, 96, 147, 248, 267, 269, 285, 300, 343, 348, 358, 367, 372, 388, 402, 411, 433, 471, 543, 573, 853
Bills introduced by.....	247, 416, 445
Resolutions by.....	854, 859
Petitions presented by.....	351, 374
Leave of absence granted to.....	92, 618

## TRUSTEE WABASH AND ERIE CANAL—

D. M. Dunn elected.....	76
Wm. A. Langster voted for for.....	77

## U.

## UPSON, HARVEY W.—

Appeared and was sworn.....	4
Leave of absence granted to.....	90

## V.

## VEACH, A. C.—

Appeared and was sworn.....	3
Resolutions by.....	15, 297
Motions by.....	290, 434, 483, 557, 602
Bills introduced by.....	272
Petitions presented by.....	398, 454, 475

## W.

## WALLACE, ANDREW—

Report of committee in case of.....	150
Elected President of Benevolent Institutions.....	196

## WALKER, CHARLES E.—

Elected President of Bank of State of Indiana.....	202
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## WELCH, AUGUSTUS—

Appeared and was sworn.....	5
Petitions presented by.....	399

## WHEELER, AMZI L.—

Voted for for Director of State Bank of Indiana.....	201
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## WHITTLESEY, A. T.—

Directed a call of House.....	3
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## WHITE, JOHN H.—

Appeared and was sworn.....	4
Motions by.....	15, 124
Bills introduced by.....	568
Petitions presented by.....	398, 472

## WHITESIDE, THOMAS C.—

Appeared and was sworn.....	5
Resolutions by.....	41, 105, 106, 109, 110, 358
Motions by.....	105, 168, 169, 181, 184, 229, 268, 285, 316, 329, 334, 338, 388, 426, 560, 567, 575, 576, 697, 710, 743, 750
Bills introduced by.....	102, 119, 492
Petitions presented by.....	334, 354
Leave of absence granted to.....	89

## WILLIS, JOHN H.—

Appeared and was sworn.....	4
Motions by.....	698
Petitions presented by.....	352, 374, 455

## WOODRUFF, J. E.—

Appeared and was sworn.....	5
Leave of absence granted to.....	92

## WOODS, BARTLETT—

Appeared and was sworn.....	4
Motions by.....	97, 124, 337, 230, 231, 234, 279, 2, 3, 349, 353, 418, 444, 447, 672, 703, 732, 743, 853
Resolutions by.....	92, 138, 383, 860
Bills introduced by.....	101, 130, 179, 312, 453
Petitions presented by.....	353, 689

## WRIGHT, T. T.—

Appeared and was sworn.....	4
Motions by.....	53, 71, 156, 163, 174, 183, 208, 217, 227, 233, 234, 236, 260, 273, 279, 301, 426, 487, 488, 625, 680, 775, 787, 833, 858
Resolutions by.....	93, 183, 249, 297, 396, 679
Bills introduced by.....	89
Petitions presented by.....	352, 353, 398, 428, 473
Leave of absence granted to.....	308, 395

## Z.

## ZEIGLER, PHILIP—

Appeared and was sworn.....	4
Motions by.....	249
Resolutions by.....	180, 250
Granted leave of absence.....	429, 618, 772

# BILLS OF THE HOUSE.

Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other proceedings.	Approved.	By whom introduced.
1	An act to increase the salary of the Governor of the State of Indiana, and to repeal the first clause of the first section of an act relating to public officers, and providing the manner of paying the same, and the manner of reimbursing the State for the increase of salaries; approved March 5, 1859.	45	45, 92, 580					Gregory.
2	A bill relative to the Supreme Court, and providing compensation to the Judges thereof.	56	56, 92, 137, 292, 361, 449					Miller, of Tipp.
3	An act to legalize the proceedings of the Court of Common Pleas of Jackson county, had at the October term, 1864.	56	56, 343	57	60	116, 149	152	Brown.
4	An act fixing the per diem and mileage of Senators and Representatives of the General Assembly, providing officers therefor and fixing the compensation thereof, and repealing all laws inconsistent therewith.	58	58, 92, 148, 168, 206, 459, 460					Griffith.
5	An act to legalize certain records of deeds, mortgages, and other instruments recorded in the Recorder's office of Clinton county.	59	92, 479					Miller, of Clinton.
6	An act to establish an Agricultural College wherein shall be taught such branches of learning as are related to Agriculture, including the Mechanic Arts and Military Tactics. Also, such other branches of science and literature as the General Assembly, or the Trustees of said College, shall direct, and to appropriate funds for its endowment, support and maintenance, and to provide a Board of Trustees for its management.	59	94, 631, 727					Buskirk.
7	An act to amend the first section of an act entitled an act concerning the organization of voluntary associations, and repealing former laws in reference thereto, approved February 12, 1855, so as to authorize the formation of Ferry Companies, approved February 16, 1859, so as to authorize the survey, construction, maintenance and repair of harbors, docks, and piers, upon Lake Michigan and other navigable waters, and to assess and collect tolls for the use thereof.	59	59, 60	237	678	69, 703, 711, 715	763	Higgins.
8	An act providing for the taxing of dogs, and for the payment of damage sustained in the maiming or killing of sheep by dogs, and providing penalties for the violation of any of the provisions of said act by officers and others, and also repealing an act to license dogs, approved March 11, 1861, and all other laws conflicting with the provisions of this act.	60	60, 136, 192, 205, 225	152	595	673, 704, 711, 715	734	Shoaff, of Allen.
9	A bill to repeal any restriction or limit as to the per centum per annum to be divided to the stockholders of any railroad company that shall have organized and constructed a railroad prior to the adoption of the Consti-							

## BILLS OF THE HOUSE—Continued.

Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other proceedings.	Approved.	By whom introduced.
10	tution of this State, or to the enactment of the general act providing for the incorporation of railroad companies, so that all railroad companies shall be upon equal footing, and have the same as to dividends upon their earnings.....	61	97, 310, 529, 530, 703, 704, 705					Rice.
11	An act to amend an act entitled an act to provide for the compensation of township assessors.....	61	62, 123, 449	450				Groves.
12	An act to divide the State into Congressional Districts, and to fix the time when elections shall be held therein.....	63	63, 124					Steward.
13	A bill to amend the first section of an act entitled "An act for the better protection of religious meetings, agricultural fairs, and other lawful assemblages of the people," approved March 3, 1857.....	65	65, 124, 139, 140, 576	745				Harrison.
14	An act for the relief of persons who have lost property in consequence of rebel raids, and to provide for the liquidation and payment of claims for the same.....	69	125, 126, 161, 162, 163, 433, 850					Prather.
15	An act for the relief of the families of soldiers and marines in the State and United States service, and of those who have died or been disabled in such service, and of prescribing the duties of certain officers therein named.....	69	115, 134, 143, 256, 257, 258	262	711	714, 761, 764, 773, 776	816	Branham.
16	An act authorizing supervisors of roads to remove fences standing near public highways on streams and water courses, and to turn public roads and highways on water courses to the rear of buildings, where such buildings stand too near the streams to give room for said roads or highways, and assess damages for losses occasioned thereby.....	92	92, 140, 271	450	767	799, 827	857	Emerson.
17	An act to amend sections 6, 18, 22, 26, 29, and 30, of an act entitled "An act regulating general elections, and prescribing the duties of officers in relation thereto," approved June 7, 1852, and to repeal all laws inconsistent therewith, and declaring when this act shall take effect.....	102	102, 140, 851					Ferris.
	An act making an appropriation to repay Messrs. Winslow, Lanier & Co., the amount advanced by them in payment of the interest on the public debt of this State since the adjournment of the last General Assembly, and to compensate them therefor, and directing the manner in which such payment shall be made.....	102	102					Branham.



18	A bill to provide for publication of notice to, or service of, summons on non-residents on complaint for new trial.....	102	102, 185, 477, 575	Whiteside.
19	An act to amend an act entitled "An act in relation to witnesses, and to amend section 23, of article 13, of the act entitled an act to revise, simplify, and abridge the rules, practice, pleadings and forms, in civil cases, in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 1, 1852 and to repeal all laws inconsistent therewith, and providing when the act shall take effect and be in force, which took effect and went into force March 17, 1861.....	103	103, 185, 285, 311	Newcomb.
20	An act for the encouragement of agriculture, authorizing the Indiana State Board of Agriculture to purchase, hold and sell real estate, legalizing the purchase by said Board of certain lands in Marion county, exempting the property of said Board from taxation, authorizing the county treasurer of Marion county to refund certain taxes, and making an annual appropriation for the use of said Board, &c.....	103	103, 135, 219, 538, 582	Moate.
21	A bill to amend the 22d section of an act entitled "An act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852.....	104	104, 185	Harrison.
22	An act to legalize the sales of certain school lands in Lake county. of Indians, and persons having one-eighth or more of negro blood, in all cases where white persons are parties in interest, &c., approved February 14, 1853.....	104	104, 185, 217	Woods.
23	An act entitled "An act to provide by law for draining and ditching low, wet, and overflowed lands in the State of Indiana....."	104	104, 186, 601	Collins.
24	A bill to create the Indiana Institution of Agriculture and the Mechanic Arts, &c., &c.....	104	104, 183, 191, 378	Rhoads.
25	An act to repeal an act entitled "An act to prohibit the evidence of Indians, and persons having one-eighth or more of negro blood, in all cases where white persons are parties in interest, &c., approved February 14, 1853....."	104	194	Foulke.
26	An act to amend section 27 of an act entitled "An act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and to establish township libraries, and for the regulation thereof," approved March 5, 1855.....	105	105, 223, 287	Woodruff.
27	An act to legalize the acknowledgments of all deeds, mortgages, and other instruments required to be recorded, taken and certified by Notaries Public who took and certified such acknowledgments after the expiration of their commissions.....	106	106, 227, 475	Higgins.
28	An act to exempt soldiers in the service of the United States from the payment of a poll tax.....	106	106, 227	Gregory, of War.
29	An act to amend section 15 of an act entitled "An act concerning inclosures, trespassing animals, and partition fences....."	106	106, 227, 293, 346	Woods.
30	A bill requiring railroad companies to furnish transportation for freight to persons wishing to ship live stock or other freight over their roads, and requiring such roads to charge a uniform rate therefor.....	106	107, 227, 559	Reese.
31	An act to amend section 1 of an act entitled "An act to exempt from sale in certain cases," approved February 17, 1852.....	107	107, 227, 291, 346, 687, 732	Burnes.

## BILLS OF THE HOUSE—Continued.

Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other proceedings.	Approved.	By whom introduced.
32	An act to provide for taking the depositions, affidavits, and acknowledgments, of persons in the military or naval service of the United States.....	107	107, 227, 312, 346, 369	706				Newcomb.
33	A bill to amend the eighth section of an act entitled "An act to regulate and license the sale of spirituous, vinous, malt, and other intoxicating liquors; to prohibit the adulteration of liquors; to repeal all former laws contravening the provisions of this act, and prescribing penalties for the violation thereof," approved March 3, 1859.....	107	107, 227, 321					Harrison.
34	An act to amend the 18th section of an act entitled "An act regulating descents and the apportionment of estates".....	108	108, 227, 286, 346, 477					Kilgore.
35	An act entitled "An act to prevent county officers and their deputies from practicing law during their term of office, and prescribing punishment therefor".....	108	108, 228, 309, 346					Kilgore.
36	An act to amend the 18th section of an act entitled "An act regulating general elections, and prescribing the duties of officers in relation thereto".....	109	109, 228, 853					Henricks.
37	An act to amend section 15, and to repeal sections 29 and 30 of an act regulating general elections, and prescribing duties of the officers in relation thereto," approved June 7, 1852, and prescribing further duties of the officers of elections.....	109	109, 228					Higgins.
38	A bill to amend the 82d section of the School law of 1864.....	109	109, 228					Gregory, of War'n.
39	An act to amend the 4th section, and to repeal the 5th and 6th sections of an act entitled "An act concerning interest on money," approved May 27, 1852.....	110	110, 123, 853					Higgins.
40	An act to amend sections 78 and 83 of an act entitled "An act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith," approved March 11, 1861.....	111	111, 228, 288					Howard.
41	A bill to legalize sales by guardians under orders defective in not prescribing notice.....	117	117, 228, 572, 691					James.
42	An act to amend sections 9, 11, and 14, of an act entitled an act to provide for the more uniform mode of doing towns'p business, and							

43	prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with this act, approved February 18, 1859.....	117	118, 228, 273, 320			Ferria.
44	A bill to repeal an act entitled "An act to establish Courts of Conciliation, to prescribe rules and proceedings therein, and compensation of judges thereof," approved June 11, 1852.....	118	118, 229, 285, 347, 369	648		Coffroth.
45	A bill to amend the 70th section of an act entitled "An act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852.....	118	118, 229			Harrison.
46	A bill to legalize the acts of certain civil officers in the State who have entered the military service, and have accepted commissions in the armies of the United States, and whose duties have been discharged by deputies during their absence in said service.	118	118, 192, 271	304		Beckett.
47	A bill to fix the times of holding the Circuit Courts in the Eleventh Judicial Circuit, and to regulate the return of process in said Circuit.....	118	118, 142, 169	169	251, 257	Coffroth.
48	An act to increase the powers of the Board of Sinking Fund Commissioners, and to authorize said Board to loan any moneys belonging to said Funds in Indiana State Bonds or Stocks and providing for the canceling of such Bonds or Stocks, and the re-issuing of new non-negotiable Bonds or Stocks, payable to said Funds.....	119	119, 220, 546	548		Newcomb.
49	An act to authorize railroad companies to alter and determine the number of their Directors, to authorize Boards of Directors to fill vacancies in their Boards, to provide for meetings of the Stockholders and Directors of consolidated companies in and without this State, to authorize consolidated railroad companies to consolidate again and increase the capital stock of consolidated railroad companies, and to authorize them to borrow money and to secure the payment thereof.....	119	120, 229			Whiteside.
50	An act to amend section 13 of an act approved May 12, 1852, entitled "An act authorizing the construction of plank, macadamized, and graveled roads," the same having been amended by the 4th section of an act approved February 24, 1855, entitled "An act authorizing the construction of plank, macadamized, and gravel roads," and to empower the same to make sale of a portion of their road. The purpose of this act to authorize such companies to increase their toll.....	120	120, 162, 229, 291, 347, 369, 706			Meredith.
51	A bill to authorize and provide for a thorough and complete draining of the public and private lands of the State of Indiana.....	121	121, 229, 601			Hoover.
52	A bill to amend the 9th section of an act entitled "An act providing for the election or appointment of Supervisors of highways, and prescribing certain of their duties, and those of county and township officers, in relation thereto," approved March 5, 1859.....	121	121, 230			Beckett.
53	An act to render uniform assessments of personal property in the several townships of the different counties.....	123	123, 230, 291, 347, 369	706		Stivers.
	An act to amend sections 5 and 14 of an act entitled "An act to provide for the uniform mode of doing township business, prescribing the duties of certain officers in connection therewith,					

# BILLS OF THE HOUSE—Continued.

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Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other proceedings.	Approved.	By whom introduced.
54	and to repeal all laws in conflict with this act," approved February 18, 1859.....	123	123, 230, 320, 347	707				Howard.
	An act to amend section eighty-two of an act entitled "An act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith," approved March 11, 1861, so as to authorize county auditors to make loans of the Common School revenue in sums not exceeding one thousand dollars, and declaring when this act shall take effect.....	123	130, 230					Cook.
55	An act authorizing persons therein mentioned to dig a canal from the Calumet river to Lake Michigan, for the purpose of draining a portion of the swamp lands of Lake and Porter counties.....	130	130, 230, 348, 369	708				Woods.
56	An act to repeal an act entitled "An act to ascertain the amount of the fees and salaries of the clerks of the Supreme, Circuit, and Common Pleas Courts of this State; of the sheriff of the Supreme Court, and of the various counties in this State; of county auditors, treasurers, and recorders; of Circuit and Prosecuting Attorneys, and to provide punishment for a violation of its provisions," approved June 3, 1861.....	130	130, 230, 368, 793					Miller, of Clinton.
57	An act to amend section seven hundred and eighty-four of an act entitled "An act to revise, simplify, and abridge the rules, practice, pleadings and powers, in civil cases, in the courts in this State; to abolish distinct forms of action at law and to provide for the administration, in future, of a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.....	139	130, 230, 286, 348, 369	709				Coffroth.
58	An act to amend the 5th and 6th sections of an act regulating interest on money, and to repeal an act entitled "An act concerning interest on money," approved May 27, 1852; the 51st section of an act "defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852, and all other laws and parts of laws in conflict with this act, approved March 7, 1861.....	139	131, 231, 291, 348, 369, 456	710				Higgins.
59	A bill to authorize railroad companies to occupy and use for rail-							

road purposes the property of canal companies, with their consent, and to secure them in such occupation, &c.....	131	131, 151, 310, 337, 348, 438, 439, 465, 466	647	573	Newcomb.
An act to amend the eighty-third and eighty-fourth sections of an act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto, approved March 9, 1857.....	131	131, 231, 268			Miller, of Tipp.
An act requiring Clerks of the Circuit Court to index the records in their office.....	131	131, 231			Griffith.
An act empowering incorporated cities to plant and maintain shade trees along the streets, alleys, public square, and commons thereof, and to provide for the protection of the same at the expense of the property holders.....	132	133, 231, 295, 348	712		Thatcher.
A bill relating to corporations for mechanical, manufacturing, mining, and quarrying purposes.....		238, 273	301		
An act to amend the 40th section of an act entitled "An act to revise, simplify, and abridge the rules, practice, pleadings, and forms, in civil cases, in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity.".....	137	137, 231, 269, 343, 350, 746	717		Miller, of Clinton.
An act defining an assault, and prescribing a penalty, &c.....	137	137, 232, 268			Lasselle.
An act to amend the third section of an act entitled an act providing for the election and prescribing certain duties of county surveyors, approved June 15, 1852.....	138	138, 232, 311			Miller, of Clinton.
An act to entitle attorneys to hold liens on judgments.....	138	138, 232, 269, 343, 350	718		
An act authorizing Boards of County Commissioners in this State to make donations and receive subscriptions for the purpose of erecting a monument to the memory of those from their several counties who have lost their lives in the present war for the restoration of the Union.....	138	138, 232, 289	749		Gregory, of War'n.
An act to amend sections 1, 10, 11, and 20, of an act entitled an act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties and those of county and township officers in relation thereto, approved March 5, 1853.....	138	138, 232, 698			Chambers.
An act to authorize the several counties and incorporated cities in the State of Indiana to pay bounties to volunteers in the army and navy of the United States, to contract debts and issue bonds, and to levy taxes to pay said bonds and interest thereon; to compensate officers for signing such funds, and to provide for their ultimate redemption.....	141	[176			
A bill for the relief of Ann Vizard, &c.....	118	141, 174, 175, 184, 193, 207, 216, 148, 232, 446, 687, 715			Newcomb.
An act to reimburse Samuel H. Patterson, late lessee of the Indiana State Prison for money expended by him on account of work and labor rendered by sundry convicts during said Patterson's lease of said prison.....	149	149, 232, 343, 350, 672			Bird.
An act to amend sections 6, 10, 14, and 20, of an act entitled an act providing for the election or appointment of supervisors of					Henricks.

## BILLS OF THE HOUSE—Continued.

Number	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other proceedings.	Approved.	By whom introduced.
74	highways, and prescribing certain of their duties, and those of county and townships officers in relation thereto, approved March 5, 1859.....	149	149, 232, 698					Rice.
75	A bill relating to forms of conveyance of real estate sold on execution by sheriffs or coroners, and prescribing certain duties of clerks of courts, and the compensation thereof.....	149	140, 233, 851					Miller, of Clinton.
76	A bill to empower railroads to construct branches to neighboring coal mines.....	159	159, 233, 271, 348	749				Hargrove.
77	A bill to amend the seventy-ninth and ninety-seventh sections of an act entitled an act to provide for a general system of common schools, the officers and their respective powers and duties, and matters properly connected therewith; and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith.....	160	160, 233, 287					Miller, of Clinton.
78	A bill to provide for the settlement of the estates of persons who have been absent from their place of residence and not heard from for several years or more.....	160	160, 233, 285					Newcomb.
79	A bill to provide for the sale of certain lands belonging to the State of Indiana in the counties of Jasper and Newton, and to give pre-emption to actual settlers thereon.....	160	160, 233, 312, 348, 436, 754	755				Johnson.
80	A bill to amend an act entitled "An act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved March 5, 1859.....	160	160, 233, 291, 349	750				Stringer.
81	A bill to raise a revenue for State purposes, for the years 1865 and 1866.....	160	160, 233					Osborne.
82	A bill to amend section second of an act entitled "An act to enable the owners of wet lands to drain and reclaim them, when the same cannot be done without affecting the lands of others," approved March 7, 1863.....	161	161, 233, 662					Coffroth.
83	A bill concerning the creation of corporations for the purpose of maintaining high schools within the State, and giving the requisite powers to such corporations.....	172	172, 234, 349, 413					Meredith.
	A bill to amend the 33d section of an act entitled "An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities," .....	172	171, 234, 295, 446					Hoover.

84	A bill to legalize the action of the Board of County Commissioners of Vermillion county, and of the District and State Boards of Equalization, in adopting the appraisement of real estate of 1889, as the basis for the assessment of taxes for the year 1891, and each year thereafter till a new appraisement shall be made.	172	172, 194, 273	392	Rhoads.
85	A bill to amend the 17th section of an act containing several provisions regarding "landlords, tenants, lessors and lessees," approved May 24, 1852.	172	172, 234	—	Collins.
86	A bill authorizing the digging of a ditch or canal from the Little Calumet river to the Grand Calumet river, in Lake county.	179	174, 234, 288, 349, 369	—	Woods.
87	A bill to amend section first of an act entitled "an act to revise, simplify, and abridge the rules, practice, pleadings and forms, in civil cases, in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 1852, approved February 2, 1855.	179	179, 234, 851	—	Humphreys.
88	A bill authorizing certain corporations therein named to change corporate names.	180	180, 234, 311, 349	—	Hershey.
89	A bill to allow cities and towns to permit the location of railroads on the streets and alleys, for the purpose of conveying coal into and through said cities and towns.	181	181, 234, 271, 349, 369	469	Groves.
90	A bill to amend the third section of an act entitled "An act regulating docket fees of District Attorneys in the Courts of Common Pleas, and before Justices of the Peace, and regulating Prosecuting District attorneys' fees for prosecution on forfeited recognizance," approved June 4, 1861.	181	181, 234, 561	—	Rhoads.
91	A bill to authorize the discharge of bonds of executors and guarantians, upon application to sell real estate.	184	184, 234, 851	—	Miller, of Tip.
92	A bill fixing the time of filing the credential papers in actions before the County Commissioners, and the time of filing claims against the county.	184	184, 234, 292	—	Stuckey.
93	A bill to regulate and license the sale of spirituous, vinous, malt, and other intoxicating liquors; to prohibit the adulteration of liquors; giving the Circuit Court jurisdiction to try certain offenses herein defined; to repeal all former laws contravening the provisions of this act, and prescribing penalties for the violation thereof.	225	225, 321	—	Kilgore.
94	A bill for the organization and regulation of the militia of the State of Indiana; dividing the same into active militia and militia of reserve, and prescribing penalties for violation of said regulations, and providing for the election and appointment of officers, and defining the duties of military and civil officers in relation thereto, and providing for Courts Martial and military encampments, and instruction in military tactics, and making regulations for supporting said militia, and repealing all laws heretofore enacted on the subject, saving certain acts therein named, and declaring an emergency for the immediate taking effect hereof.	247	248, 368, 402, 446	—	Trusler.
95	A bill to enable railroads to make local alterations in their lines in certain cases.	249	249, 582	—	Branham.

# BILLS OF THE HOUSE—Continued.

Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other proceedings.	Approved.	By whom introduced.
50	A bill to provide for the call of a convention of the people of the State of Indiana to revise, amend, or alter the Constitution of said State; to defray the expenses of said convention; to submit the Constitution, as amended, to a vote of the people, and all other things necessary to give force to the act.....	249	249, 851					McVey.
57	A bill relative to the salaries of Judges of the Circuit Court and the Judges of the Courts of Common Pleas, and providing the manner of paying the same.....	249	249, 355					Burnes.
58	A bill for the relief of Thomas Coleman.....	250	250, 336					Miller, of Tip.
59	A bill to amend the 22d, 17th, and 91st sections of an act to provide for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana, for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers, Auditors, and of the Treasurer and Auditor of State, approved June 21, 1852, and declaring an emergency for the immediate taking effect of this act.....	250	250, 290, 853					Stringer.
100	A bill to amend section 347 of an act entitled "An act to revise, simplify, and abridge the rules, practice, pleadings and forms, in civil cases, in the courts of this State; to abolish disint forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.....	251	251, 575					Emerson.
101	A bill to entitle County Recorders to their fees in advance, and allowing them compensation for keeping up general indexes and entry book, and repealing all laws inconsistent therewith .....	251	251, 558					Miller, of Clinton.
102	A bill amendatory of the 5th, 35th, and 42d sections, and supplemental to an act entitled "An act regulating general elections, and prescribing the duties of officers in relation thereto," approved June 7, 1852, so as to allow citizen soldiers of the State of Indiana, in the service of the United States Government, the privilege of voting at all general elections, and prescribing the manner of so doing.....	251	252, 850					Griffith.
103	A bill to amend an act entitled "An act to provide for the valuation and appraisalment of the real and personal property, and							



104	the collection of taxes for the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State," approved June 21, 1852.....	252			Bonner.
105	A bill to distribute the interest of the agricultural land grant.....	252	252, 576		Gregory, of Mont.
	A bill to amend section forty-six of an act entitled "An act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith," approved March 11, 1861.....	252	253, 288		Lasselle.
106	A bill to authorize the construction of warehouses for the inspection, storage, and sale of tobacco.....	253	253, 349		Cook.
107	A bill to authorize railroad companies to alter and determine the number of their Directors, to authorize Boards of Directors to fill vacancies occurring in their Boards, to provide for the meeting of the Stockholders, Officers, and Directors of consolidated companies in and without the State, to authorize consolidated railroad companies to consolidate again; to increase the capital stock of consolidated railroad companies, to authorize them to borrow money and to secure the payment thereof, and to explain and declare the powers of consolidated railroad companies formed by the consolidation of two or more railroad companies under the laws of this State.....	253	253, 310, 349, 576, 752, 842		Church.
108	A bill to amend the thirty-fifth section of the act entitled "An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 9, 1857.....	253	254, 311, 360		Puett.
109	A bill to amend the 23d section of an act entitled an act to provide for the valuation and assessment of the real and personal property and the collection of taxes in the State of Indiana, for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers, Auditors, and of the Treasurer and Auditor of State, approved June 21, 1852.....	254	254, 562		Sullivan, of Scott.
110	A bill to amend the fifth section of an act entitled "An act to regulate and license the sale of spirituous, vinous, malt, and other intoxicating liquors; to prohibit the adulteration of liquors; to repeal all former laws contravening the provisions of this act, and prescribing penalties for the violation thereof,".....	272	272		Osborn.
111	A bill to amend the 42d section of an act entitled "An act to repeal all general laws now in force for the incorporation of, and to provide for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters properly pertaining thereto," approved March 7, 1857.....	272	272, 309		Higgins.

# BILLS OF THE HOUSE—Continued.

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Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.		Passed Senate.	Other proceedings.	Approved.	By whom introduced.
✓ 112	A bill for the relief of A. W. Louderwick, and authorize the transfer to him of certain lands therein named.....	272	272						Veach.
✓ 113	A bill to amend an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith; and to establish township libraries, and for the regulation thereof," approved March 5, 1855.....	272	273, 367						Shoaff, of Allen.
✓ 114	A bill to amend section one of an act entitled an act relative to the salaries of public officers, and providing the means of paying the same, and reimbursing the State for increase of salaries, approved March 5, 1859.....	273	273, 558, 756						Kilgore.
✓ 115	A bill accepting the provisions of an act of the United States of America, entitled "An act donating lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and the Mechanic Arts," and providing for the receipt, investment, and management of said donation.....	273	273						Hogate.
✓ 116	A bill to provide for testing and sealing all weights and measures used by wholesale and retail merchants and dealers, and providing punishment for all persons who shall violate the provisions of this act, and declaring an emergency.....	296	296, 851						Brown.
✓ 117	A bill to amend sections thirty-nine, forty-two, forty-five, and fifty-four, of an act entitled "An act for the incorporation of Insurance companies, defining their powers and prescribing their duties," approved June 17, 1852.....	296	296, 356						Newcomb.
118	A bill to amend section two of an act to require surviving partners to file inventories and appraisements in the office of the Clerk of the Court of Common Pleas, and to report the liabilities of the firm, approved March 5, 1859.....	297	297, 713, 714						Howard.
✓ 119	A bill to establish and create a State Normal School, and matters connected therewith.....	297	297, 366, 448						Rhoads.
✓ 120	A bill to prescribe the duties of agents of insurance companies.....	297	297						Kilgore.
✓ 121	A bill to cure defective acknowledgments of deeds in certain cases.	297	297, 356						McVey.
✓ 122	A bill to amend sections six and ten of an act entitled "An act to provide for and regulate the inspection of tobacco throughout the State of Indiana," approved Feb. 12, 1857.....	298	298, 338, 349, 369, 464	465	835			857	Cook.

123	A bill to declare forfeited the right of way of certain railroad companies to branch roads, no part of which has been completed, and upon which no work has been done for ten years, and declaring that the right of way aforesaid shall revert to the land owners along the route thereof.....	298	298, 691	Olleman.
124	A bill to amend section 39 of "an act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1853.....	299	299, 402, 688	Stringer.
125	A bill to amend sections one and two of an act entitled "An act to provide for the re-location of county seats, and for the erection of public buildings in counties in case of such re-location," approved March 2, 1853.....	299	299, 382, 687, 835	Newcomb.
126	A bill to amend section five of an act entitled an act to authorize the construction of levees and drains, approved June 12, 1852.....	312	312, 381, 687	Woods.
127	A bill to amend section 445 of an act entitled "An act to revise, simplify, and abridge the rules, practice, pleadings and forms, in civil cases, in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, and to repeal all laws in conflict therewith.....	313	313, 563	Foulke.
128	A bill to amend sections 8 and 11, of an act entitled an act to provide for the more uniform mode of doing township business, and prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with this act, and declaring an emergency.....	313	313, 381	Branham.
129	A bill to amend the ninth section of an act entitled "An act to enforce the thirteenth article of the Constitution," approved June 18, 1852.....	313	313, 793	Beckett.
130	A bill to amend the 78th section of article 46, of an act to revise and abridge, the rules, practice, pleadings and forms in civil actions, in the courts of this State, &c., approved June 18, 1852.....	314	314	Gregory, of War'n.
131	A bill to amend section three of an act entitled "An act to amend an act entitled 'an act to repeal all general laws now in force for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same; and to regulate such other matters as properly pertain thereto,' approved March 9, 1837," approved March 11, 1849.....	314	314	Newcomb.
132	A bill to amend section 117 of an act entitled "An act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and for the establishment of township libraries, and to repeal all laws inconsistent therewith," approved March 11, 1861.....	314	314, 335	Ferris.
133	A bill making appropriation to pay the indebtedness of the State Prison north, on or before the 11th day of March, 1863, and declaring an emergency for the same.....	315	315, 333, 67.	Boyd.
134	A bill requiring the Boards of County Commissioners, in the several counties of the State of Indiana, to examine the books, papers, and vouchers of any county officer in their respective coun-			

# BILLS OF THE HOUSE—Continued.

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Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other proceedings.	Approved.	By whom introduced.
135	ties, who may be charged with having received a greater amount of fees than he is legally entitled to; to determine the amount thereof, if any, and to cause suit to be brought for its recovery. A bill to amend the 63d section of an act entitled "An act to revise, simplify, and abridge the rules, practice, pleadings, and forms, in civil cases, in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," passed June 18, 1852....	323	322					Branham.
136	A bill to amend sections 8 and 11 of an act to provide for the uniform mode of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws in conflict with this act, approved February 18, 1853, and declaring an emergency for the immediate taking effect of this act.....	324	324, 543					McVey.
137	A bill to enable the qualified electors of this State, and absent therefrom in the service of the United States, to vote.....	324	324					Stringer.
138	A bill to amend an act entitled an act to provide a treasury system for the State of Indiana, for the manner of receiving, holding, and disbursing the public moneys of the State, and for the safe keeping of public moneys, passed March 1, 1859, approved March 5, 1861.....	225	325, 545, 566, 571, 572, 596					Branham.
139	An act to amend sections 3, 4, 5, 7, 9, and 11, of an act entitled an act to regulate and license the sale of spirituous, vinous, malt, and other intoxicating liquors; to prevent the adulteration of liquors; to repeal all former laws contravening the provisions of this act, and prescribing penalties for the violation thereof, approved March 5, A. D. 1859, and prohibiting the owners and keepers of saloons, coffee-houses, &c., from evading or keeping any screens or blinds, and prescribing penalties therefor, and prescribing penalties in case of second or subsequent conviction.	325	326, 558					Hunt.
140	A bill ratifying the action of the Governor in settling and discharging the State's quota of the direct tax levied by Congress in 1861, and authorizing him to settle all unsettled claims of the State against the United States.....	326	326, 720, 730					Shuey.
		327	327, 562, 604, 674	675	780	792, 815, 820	857	Branham.

✓ 141	A bill to give Circuit and Common Pleas Judges additional powers in civil and criminal cases during vacation.....	327	327, 477	Dunham.
✓ 142	A bill to amend sections four and five of an act entitled "An act to authorize Judges of the Circuit Courts and Common Pleas Courts to appoint Master Commissioners, and defining the duties and fixing the compensation of such Master Commissioners," approved March 2, 1853.....	327	328, 543, 851	Thatcher.
✓ 143	A bill permitting attorneys to appear in State prosecutions before Justices of the Peace, and to provide for their compensation.....	329	329, 691	Burnes.
✓ 144	A bill to authorize, regulate, and confirm the sale of railroads, to enable purchasers of the same to form corporations and to exercise corporate powers, and to define their rights, powers, and privileges; to enable such corporations to purchase and construct connecting and branch roads, and to operate and maintain the same.....	329	329, 440	Meredith.
✓ 145	A bill to authorize the publication of the Acts of the General Assembly in county newspapers.....	338	338	Whiteside.
✓ 146	A bill to amend section third of an act entitled "An act for the regulation of weights and measures," approved June 9, 1852.....	339	339, 381	Montgomery.
✓ 147	A bill to amend section six of an act entitled "An act regulating estrays and articles adrift," approved June 16, 1852.....	338	339, 361	Cox.
✓ 148	A bill to amend the 22d section of an act entitled "An act defining misdemeanors, and prescribing punishment thereof," approved June 14, 1852.....	339	339, 382	Miller, of Clinton.
✓ 149	A bill to enable the Board of Directors of any Turnpike Company to change the time of holding the election of Directors.....	339	339, 566, 687	Foulke.
✓ 150	A bill prescribing the number of Senators and Representatives of the General Assembly of the State of Indiana.....	339	339, 563	Stringer.
✓ 151	A bill to encourage the republication of Blackford's Reports, and appropriating money to pay the same.....	340	340, 577	Kilgore.
✓ 152	A bill to amend sections 82d, 83d and 85th, of an act entitled "An act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and to establish township libraries, and for the regulation thereof," approved March 5, 1855.....	340	340, 355	Humphreys.
✓ 153	A bill ratifying the action of the Governor in procuring an advance of two hundred and fifty thousand dollars from the President of the United States, for the preparation of troops for the service of the United States, and for the defense of the State, and directing him to pay the unexpended balance thereof into the Treasury, and to account therefor, with the portion expended, to the President of the United States as an advance to the State.....	350	350, 555, 604, 672	Branham.
✓ 154	A bill to amend the 7th section of an act entitled "An act providing for the election of Clerks of the Circuit Court, and prescribing some of their duties," approved June 7, 1852.....	357	357, 366	Olleman.
✓ 155	A bill apportioning the State into Districts for Senators and Representatives in the General Assembly.....	357		Gregory, of Mont.
✓ 156	A bill imposing on Clerks of the several Circuit Courts the duties of preparing applications for back pay, back pay and bounties.....	357		

# BILLS OF THE HOUSE—Continued.

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Number	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other proceedings.	Approved.	By whom introduced.
157	balances of bounty, half pay and pensions, creating a State Agent for soldiers' claims, to represent the same, imposing on certain officers the duty of preparing and certifying documentary evidence in connection with such memorials, prescribing the duties of such officers, and imposing penalties for violating their duties.....	357	357, 367, 737, 744, 765					Pettit.
158	A bill to amend section 21 of an act entitled "An act regulating descents and the apportionment of estates," approved May 14, A. D. 1852.....	358	558, 569, 851					Thatcher.
159	A bill to provide for the appraisal for taxation of the property of Railroad Companies within this State, prescribing the duties of officers in relation thereto, and repealing all laws in contravention thereof, or inconsistent therewith.....	359	359, 366, 442, 443	444	780	792		Miller, of Tipp.
160	A bill to provide for the valuation and assessment of the real and personal property, the property of railroad companies, and the collection of taxes in the State of Indiana, for the appointment of appraisers of real estate, the appointment of Township Assessors, and prescribing the duties of appraisers of real estate and assessors of personal property, County Treasurers and Auditors, and the Treasurer and Auditor of State, and defining the fees of County Auditors for making the duplicates, delinquent lists, Assessors' books, transferring real estate, for making tax title deeds, and for the execution of certificates to purchasers of lands and lots sold for taxes.....	359	359, 539					Branham.
161	A bill to raise revenue for State purposes for the years one thousand eight hundred and sixty-five, and one thousand eight hundred and sixty-six.....	381	381, 441	442	692	712, 727, 732	734	Branham.
162	A bill to amend section ten of an act entitled "An act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855.....	382	382, 561					Burnes.
163	A bill supplemental to an act entitled "An act to establish and regulate ferries," approved June 17, 1852.....	383	383, 857					Howard.
164	A bill creating the 14th Judicial Circuit, and fixing the time of holding courts therein.....	383	383					Griffith.
165	A bill to provide for locating and working highways situated upon, contiguous to, or near by, county lines.....	383	383, 852					Colover.

165	A bill to enforce the 13th Article of the Constitution, and to repeal an act entitled "An act to enforce the 13th Article of the Constitution," approved June 18, 1852.....	381	348, 413, 851	Higgins.
✓ 166	A bill to amend the 148th section of an act entitled an act providing for the settlement of decedents' estates, prescribing the rights, liabilities, and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlements, approved June 17, 1852.....	415	415, 851	Spencer.
✓ 167	A bill putting a limit on pay for service in obtaining substitutes and volunteers for the military or naval service of the United States in this State, and providing penalties for the violation thereof, and the recovery of such penalties, and fixing the limitation of such actions, and imposing certain duties on the county auditors.....	416	416, 433, 755	Trusler.
✓ 168	A bill to amend sections eleven and twelve, chapter seven, of the Revised Statutes of 1852, part 1st, volume 2d, being an act prescribing the powers and duties of Coroner, approved May 27, 1852.....	417	417, 850	Shoaff, of Allen.
✓ 169	A bill to legalize the acts of John Gregory, a Notary Public of Warren county, Indiana.....	418	418, 851	Gregory, of Warren.
✓ 170	A bill to amend section 22 of an act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties, approved March 2, 1855.....	418	418	Steward.
✓ 171	A bill making an appropriation to pay the indebtedness of State Prison North, which had accrued prior to the 11th day of March, A. D. 1863.....	440	440	Griffith.
✓ 172	A bill to fix the time of holding the Circuit Court in the 4th Judicial Circuit, composed of the counties of Decatur, Shelby, Rush, Fayette, Franklin, Union, and Dearborn.....	445	445, 804	Trusler.
✓ 173	A bill to amend an act entitled "An act to encourage the destruction of wolves," approved June 7, 1852.....	453	453, 583, 755	Woods.
✓ 174	A bill for the protection of fish in the rivers, streams, lakes and ponds, within the State of Indiana, except the Ohio river and Lake Michigan.....	456	456, 581	Kilgore.
175	A bill supplemental to an act to fix the times of holding the Circuit Courts in the 11th Judicial Circuit.....	456	456	Miller.
✓ 176	A bill making general appropriations for the years 1865 and 1866.....	457	456, 604, 608, 767, 772	Branham.
✓ 177	A bill to amend section 143 of an act entitled an act amendatory of an act to provide for the publication of delinquents, approved May 31, 1861.....	457	457, 560	Thatcher.
178	A bill to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith.....	468	468, 570, 571, 573, 593, 678	Rhoads.
✓ 179	A bill to amend section first of an act entitled "An act to incorporate the Trustees of the Indiana Female College," approved Feb. 13, 1851.....	491	491, 555, 562	Newcomb.
✓ 180	A bill to regulate the practice of Medicine and Surgery, and Obstetrics, within the State of Indiana, providing for a Board of			

## BILLS OF THE HOUSE—Continued.

Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other proceedings.	Approved.	By whom introduced.
✓ 181	Medical Censors in each county, and matters properly connected therewith.....	491	491, 687, 688					Griffith.
182	A bill to amend section seven of an act entitled "An act providing for the election of Clerks of the Circuit Court, and prescribing some of their duties, approved June 7, 1852.....	491	491, 533, 604, 755					Shoaff, of Allen.
✓ 183	A bill regulating sales of real estate made by County Treasurers, for the non-payment of taxes, and to establish the validity of tax titles. ....	491	491, 851					Shuey.
✓ 184	A bill to encourage education by authorizing Trustees to levy taxes in certain cases, regulating the same, and declaring an emergency.....	492	492, 851					Gregory, of War.
✓ 185	A bill to amend an act regulating the fees of officers, and repealing former act in relation thereto.....	492	492, 603					Atkinson.
✓ 186	A bill to provide for the election of Directors of Corporations, and to prevent the dissolution and forfeiture of their franchise in certain cases.....	492	492, 575					Whiteside.
✓ 187	A bill declaring the laws now in force sufficient to authorize the semi-annual interest on the State debt, authorizing the payment of the same as it may become due, declaring specific appropriations therefor unnecessary, and providing for punishment for violations of this act.....	531	688					Branham.
	A bill authorizing and requiring the Commissioners of the State Debt Sinking Fund to make settlement with the Sinking Fund Commissioners for \$422,000, War Loan Bonds purchased by Sinking Fund Commissioners, with moneys belonging to the Common School Fund; also, the sum of \$165,000, moneys belonging to the Common School Fund, advanced by the Sinking Fund to pay interest on the State debt; also, the sum of \$33,536.09, Saline Fund, and \$22,947.00 Bank Tax Fund; directing the transfer to the Common School Fund of the State of Indiana of so much of the two and one-half and five per cent. certificates of the stocks of this State as will, at the price paid for the same, amount to the aggregate of the sums mentioned in this act; authorizing and directing the proper officers of State to issue a bond of the State for the amount thereof, bearing six per cent. interest, payable							



188	H. J.	62	semi-annually, and principal payable and redeemable at the pleasure of the State; directing the Treasurer of State to pass to the credit of the General Fund the several amounts herein specified, and declaring that an emergency exists for the immediate taking effect of this act.....	567	567, 735	Branham.
189			A bill to authorize Boards of County Commissioners and County Auditors to enter upon the tax duplicate a discharge of taxes of soldiers for services rendered in the field.....	567	571	Whiteside.
190			A bill to amend section 52 of an act entitled "An act to amend an act to authorize and regulate the business of general banking, passed the House and Senate of the General Assembly, the Governor's objection thereto notwithstanding, on the third day of March, 1855,".....	567	601	Lasselle.
191			A bill to amend section 8 of "an act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855.....	568		White.
192			A bill requiring all insurance companies, doing business in the State of Indiana, to deposit with the Auditor of State securities to the amount of fifty thousand dollars, defining the duties and prescribing the fees of the Auditor in relation thereto, and providing certain penalties for the violation by any officer or agent of the provisions of this act.....	569		Chambers.
193			A bill to amend the eighth section of an act entitled "An act to regulate and license the sale of spirituous, vinous, malt, and other intoxicating liquors; to prohibit the adulteration of liquors; to repeal all former laws contravening with the provisions of this act, and prescribing penalties for the violation thereof," approved March 5, 1854, so as to prescribe penalty for the violation of said eighth section.....	590	590	Hershey.
194			A bill for the benefit of soldiers and marines in reference to losses assessed to raise bounties.....	590	590	Johnson.
195			A bill to amend the thirty-third section of an act to repeal all general laws now in force for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto.....	591	591	Coffroth.
196			A bill to amend an act entitled "An act to provide a treasury system for the State of Indiana, for the manner of receiving and disbursing the public moneys of the State, and for the safe keeping of the public moneys," approved March 1, 1859, and declaring an emergency.....	591	591, 688, 721	Miller, of Tip.
197			A bill to extend the time allowed by law for the completion of gravel roads for the time of one year, in cases therein specified.....	591	591	Newcomb.
198			A bill to provide for the purchase of the stereotype plates and the publishing of the laws of the present session with said Statutes, and a sufficient number to supply the demand thereof, and the sale thereof, and providing for the payment thereof.....	591	591, 754	Kilgore.
			A bill fixing the salaries of Judges of the Supreme Court of the State of Indiana, of Judges of the several Circuits and Common			

# BILLS OF THE HOUSE—Continued.

836

Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other proceedings.	Approved.	By whom introduced.
199	Pleas Judges thereof, and also to regulate the fees of Prosecuting Attorneys, in certain cases.....	592	592					Beckett.
200	A bill to provide for the distribution of the interest on the School, Sinking, and Trust Funds of the State, held for the support of Common Schools, to repeal all laws in conflict, and declaring an emergency.....	678	678, 692, 734	735				Gregory.
201	A bill making specific appropriations for the year 1865.....	703	703, 765, 787, 800, 801	803				Branham.
	A bill to provide for the adjustment of the outstanding debts of the State, and the investment of the School and Trust funds of the State in the stocks and bonds of the State, and to provide for the payment of the certificates of indebtedness of the State, under the arrangement made with the bondholders by the acts of the Legislature, approved January 19, 1846, and supplemental thereto, approved January 27, 1847; and to create a Board of Finance, and prescribing the duties of said Board, and matters properly connected therewith.....	731	731	752	827	836		Branham.
202	A bill fixing the time of holding the Common Pleas Courts in Grant county, and to repeal all laws inconsistent therewith.....	751	751	752	827	836	857	James.

# BILLS OF THE SENATE.

939

Number.	TITLES.	Reported to House.	Proceedings thereon.	Passed House.	Other proceedings.
3	A bill to legalize the issuing of bonds, and making of appropriations, and the levy and assessment for taxes in certain cases.....	71	90, 91, 96, 207, 334, 353, 419, 422, 410,	552	553, 692, 717, 746, 747
13	A bill to amend the 17th section of an act providing for the organization of county boards, and prescribing some of their powers and duties, approved June 17, 1852.....	72	91		
6	A bill to amend an act entitled "An act to amend section 7 of an act entitled 'An act to fix the times for holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Court returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith, approved March 5, 1859,' so as to change the time of holding said Court in Jackson and Bartholomew counties, and declaring when this act shall take effect, approved March 9, 1861," so as to change the time of holding said Court in Jennings and Bartholomew counties, extending the time for holding said Court therein, requiring all persons to take notice thereof, providing for the return of process, and declaring when this act shall take effect.....	89	91, 191	192	255
29	A bill to authorize the Bank of the State of Indiana to reduce the capital stock of a branch or branches of said bank, and to close up the business of a branch or branches of said bank, under certain regulations; and amendatory of sections 68, 62, and 74, of an act establishing a bank with branches, passed March 3, 1855.....	89	91, 101, 121	122	141, 134, 137, 171
49	An act to authorize the State Treasurer to refund to Winslow, Lanier & Co., moneys paid by them by request of the Governor, as interest on State Bonds, with interest on amounts so paid, and declaring an emergency.....	141	141, 142, 150, 153, 155, 163	165	171, 174
4	A bill to provide for the making and authentication of transcripts from the records of the Recorder's office in certain cases, and for the admissibility in evidence of the same, and certified copies of deeds and mortgages contained therein.....	154	167, 178, 235, 476		
7	A bill to amend section second of an act approved May 11 1861, entitled "An act to fix the times of holding Courts of Common Pleas in the several counties of this State, the duration of the terms thereof, and making all process returnable to such terms, and declaring when this				

## BILLS OF THE SENATE—Continued.

Number.	TITLES.	Reported to House.	Proceedings thereon.	Passed House.	Other proceedings.
8	act shall take effect, and repealing all laws inconsistent therewith," approved May 3, 1859.....	154	167, 335, 851		
11	A bill to amend an act entitled "An act to repeal all laws now in force for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same," approved March 9, 1857.....	154	167, 235		
14	An act repealing section 10 of an act entitled "An act to establish Courts of Conciliation, to prescribe rules and proceedings therein, and compensation of the Judges thereof," approved June 11, 1852, and declaring when the same shall take effect.....	154	167, 235, 286		
1	A bill to amend an act entitled "An act in relation to County Treasurers," approved June 4, 1852, and declaring an emergency.....	154	167, 235, 208, 279, 348, 555, 851		
23	A bill appropriating \$75,000 for the expenses of the present session of the General Assembly, and providing the manner of the payment of the members and officers, and their assistants, and appointees of the Senate and House of Representatives.....	154	166, 180, 207, 208, 211, 274, 280, 281, 282	283	284, 370
2	A bill to amend section 76 of an act entitled "An act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852.....	171	307	362	365, 367
10	A bill regulating the practice in Circuit and Common Pleas Courts of this State, on appeals from judgments of Justices of the Peace.	181	274, 488, 851		
12	A bill to amend section 322 of an act entitled "An act to revise, simplify, and abridge the rules, practice, pleadings, and forms, in civil cases, in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.....	181	207, 305, 563	804	834
16	An act authorizing creditors in certain cases to bring action on their claims before they are due, and have attachment against the property of the debtor; to garnish property, moneys, credits, and effects, and prescribing the manner of proceeding therein.....	182	276, 325, 360, 851		
	A bill to amend section 349 of an act entitled "an act to revise, simplify, and abridge the rules, practice, pleadings and forms, in civil cases, in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of plead-				

ing and practice, without distinction between law and equity," approved June 18, 1852.....	182	274, 478	
25 An act defining certain misdemeanors, and prescribing punishment thereof.....	182	267, 274, 475	
39 An act to amend an act entitled "An act to amend section 19 of an act to fix the time of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all processes from the present Common Pleas Courts returnable to such terms," approved February 15, 1841.....	182	274, 399, 315, 330	331 354, 357
42 A bill to amend section nine of an act entitled "An act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 3, 1833.....	182	273, 277	278
55 An act to fix the times of holding the Courts of Common Pleas in the Fifth Judicial District, repealing all other laws on the same subject, and declaring when this act shall take effect.....	182	274, 355, 341	342
115 An act to amend section 11 of "An act concerning county prisons," approved May 27, 1832.....	253	253, 478	
28 An act to amend the 25th section of an act defining felonies, and prescribing punishment therefor, approved June 10, 1842.....	275	299, 476	835
3 An act to legalize the appraisal and assessment of property in cities of this State; the making out and delivering of the tax duplicates in the cities of this State, and the assessment of property by the Treasurers of the cities of this State, incorporated under the General Laws of this State for the incorporation of cities.....	275	299, 851	
44 A bill in relation to joint contracts, promises, and obligations, and declaring all such contracts, promises, and obligations, to be joint and several in their nature, so far as relates to the remedies to enforce the same.....	275	299, 851	
61 An act to amend section four of "An act containing several provisions regarding landlords, tenants, lessors and lessees," approved May 29, 1852.....	275	300	
60 A bill to amend the 21st section of an act entitled "An act to authorize a company to construct the Aurora and Laughter Turnpike," approved Feb. 15, 1848.....	275	300	
63 An act prohibiting Circuit or Common Pleas Judges, County Clerks, Auditors, Recorders, Treasurers, Sheriffs, or any deputy of either of them, from practicing law in any Court of this State, and prescribing punishment for the violation of the same.....	275	300, 721, 756	810
65 An act to amend section 13 of an act approved May 12, 1852, entitled an act authorizing the construction of plank, macadamized, and gravel roads.....	275	300, 590, 756, 806, 807	
7 An act for the relief of any person, plaintiff in execution, all officers to whom execution may be issued on any judgment, and sureties and co-sureties in certain cases.....	276	301	
77 An act to amend section one of an act entitled "An act to amend the 33d section of an act entitled an act to revise, simplify, and abridge the rules, practice, pleadings and forms, in civil cases, in the courts of this			

## BILLS OF THE SENATE—Continued.

Number.	TITLES.	Reported to House.	Proceedings thereon.	Passed House.	Other proceedings.
82	State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved March 9, 1861.	276	301		
84	An act to authorize cities to prepare, execute, negotiate, and sell bonds to provide means to complete unfinished school buildings, and to pay debts contracted for the erection of school buildings, and to authorize the levy and collection of an additional special tax, to provide means for the payment of the interest and principal of such bonds.....	276	301		
6	An act to amend section two of an act entitled "An act prescribing the powers and duties of Justices of the Peace in State prosecutions," approved May 29, 1852, so as to authorize the service of a warrant throughout the State.....	275	301, 476		
42	An act to amend an act entitled an act to amend section seven of an act entitled an act to fix the times for holding the Common Pleas Court in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith, approved March 5, 1859, so as to change the times of holding said Courts in March 9, 1861, so as to change the times of holding said Courts in Jennings and Bartholomew counties, extending the times for holding said Courts therein, requiring all persons to take notice thereof, providing for the return of process, and declaring when this act shall take effect.....	307			
41	An act to amend section nine of an act entitled an act to fix the time of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith, approved March 5, 1859.....	307			
	An act appointing commissioners to sell certain real estate therein named, to provide a residence for the Governor of the State, and to make him an allowance in lieu thereof until the same is provided, and matters properly connected therewith.....	371	528, 538, 566, 572	573	595

128	An act making appropriation for the payment of interest on the State University Bonds for the years 1863 and 1864.....	371	528	371	813
100	A bill fixing the compensation of Township Assessors.....	380	528, 757	380	
68	An act to change the name of the Terre Haute and Richmond Railroad Company, and to give further time for the completion of the line of said road from Terre Haute to a point on the western line of the State of Indiana.....	383	528, 559	383	807
5	A bill to amend section 601 of the act entitled "An act to revise, simplify, and abridge the rules, practice, pleadings and forms, in civil cases, in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.....	479	528, 577	479	827, 827 <sup>1</sup> / <sub>2</sub> , 823
30	An act to authorize, regulate, and confirm the sale of railroads, to enable the purchasers of the same to form corporations and to exercise corporate powers, and to define their rights, powers, and privileges, to enable such corporations to purchase and construct connecting and branch roads, and to operate and maintain the same.....	479	528, 687	479	
34	An act to authorize incorporated cities within this State to purchase and hold parks, fair grounds, and grounds for public uses, and to prescribe rules and regulations for the government, control, and preservation of the same.....	479		479	
50	A bill providing for the redemption of real estate or any interest therein, sold on execution, or order of sale, and providing for the issuing of certificates of purchase in such cases, and for the execution of conveyances, and repealing all laws in conflict therewith.....	480		480	
52	An act defining the offense of bastardy, prescribing the punishment therefor, and declaring the powers and duties of Justices of the Peace therein.....	480		480	
31	An act relating to insurance on life for the benefit of widows and orphans	480		480	
53	An act entitled "An act to allow County Commissioners to organize turnpike companies where three-fourths of the persons representing the real estate within prescribed limits, petition for the same, and to levy a tax for its construction, and provide for the same to be free....."	480	843	480	844
88	An act repealing the second section of an act approved March 3, 1853, entitled "An act providing for the colonization of free negroes, making appropriations therefor, and establishing a colonization agency".....	480	836	480	837
92	An act authorizing street or horse car railway companies to use State, County, or Township roads, or other public highways, for their railway track under certain conditions and regulations.....	480	756	480	843
110	An act entitled "An act to provide for the clothing and other personal expenses of the pupils of the Benevolent Institutions of the State, to provide for the manner of their removal to and from said Institutions in certain cases therein specified, and the manner of collecting the expenses therefor".....	480	821	480	822
103	An act to amend the 6th section of an act entitled "An act regulating divorces, nullification of marriages, and decree and order of Court incident thereto," approved May 13, 1852.....	572		572	
114	An act to amend section 35 of an act entitled "An act to provide for the incorporation of railroad companies," approved May 11, 1852.....	533		533	

## BILLS OF THE SENATE—Continued.

Number	TITLES.	Other proceedings.			
		Reported to House.	Proceedings thereon.	Passed House.	
168	A bill fixing the times of holding the Courts in the Twelfth Judicial Circuit.....	533	731, 788	831	
150	An act to amend sections 7, 9, and 20, of an "Act to provide against the consequences ensuing or likely to ensue from the destruction of books, pamphlets, papers, records, or other writings of any county in this State; any Circuit, Probate, Commissioners', or other inferior Courts of record therein, or filed with or in the legal custody of any officer of any county of this State, and to provide for the perpetuation of testimony relative to the same; and requiring new official bonds to be given in cases where the bonds of officers, executors, administrators, and guardians, have been destroyed," approved January 12, 1852.....	533	814	815	
101	An act to amend the second section of an act entitled "An act to regulate the sale of Swamp Lands donated by the United States to the State of Indiana, and to provide for the draining and reclaiming thereof, in accordance with the condition of said grant," approved May 20, 1852.....	533			
47	An act providing for compensation to parties whose property may be destroyed, or whose person or property may be injured in consequence of mobs or riots.....	533			
118	An act to amend the 23d section of an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; the election of Township Assessors, and prescribing the duties of Assessors, appraisers of real and personal property, County Treasurers and Auditors, and the Treasurer and Auditor of State, approved June 21, 1852.....	533			
101	An act to amend the 2d section of an act entitled "An act to amend the 5th and 6th sections of an act to provide for the election of the Reporter and the speedy publication of the decisions of the Supreme Court; for the compensation of such Reporter, approved February 28, 1855; and also to amend the 7th section of an act entitled an act to provide for the election of a Reporter and a speedy publication of the decisions of the Supreme Court; for the compensation of such Reporter," approved February 5, 1852.....	533	674, 757, 811	826	
99	A bill requiring Clerks of the Circuit Courts and Courts of Common Pleas to make indexes to the Record Books of their respective offices.....	533	757		



93	An act defining certain felonies, and prescribing punishment therefor ...	534			
177	A bill for the relief of persons who have paid certain claims to the State, or to the proper officer, under color of judicial proceedings, and to subrogate such persons to the rights of the State.....	541	755, 839		839
112	An act in regard to weights and measures, the custody thereof, and fees for using the same.....	544			
133	A bill fixing the time of holding the Courts in the Third Judicial Circuit.....	544	755		834
127	An act to amend sections 37 and 46 of an act entitled an act dividing the State into counties, defining their boundaries, and defining the jurisdiction of such as border on the Ohio and Wabash rivers, approved June 7, 1852, and defining the boundaries of the counties of Jackson and Lawrence.....	544			
131	An act to amend the 71st section of an act entitled "An act granting to citizens of Evansville, in the county of Vanderburg, a city charter," approved January 27, 1847, and to add supplemental sections to said act.....	544	755, 816		817
121	An act empowering District Prosecuting Attorneys to administer oaths in the discharge of their duties.....	568			
145	An act providing compensation for Judges holding Courts of Common Pleas in certain cases.....	568			
163	An act touching the laying out of cities and additions thereto, and the making and recording of plats thereof, and legalizing plats of such cities, and additions thereto heretofore made and recorded.....	568			
151	An act in relation to the sale of real estate by executors, administrators, and guardians, in certain cases.....	568			834
140	An act authorizing the Auditor and Treasurer of State to sell certain swamp lands belonging to the State, under the provisions of the general swamp land act.....	568	841		845
171	An act to enable the Board of Trustees of incorporated towns to authorize the use of portions of streets for shade and ornamental purposes.....	568	841		842
15	A bill appointing a Commissioner to adjust the claims of citizens for damages and losses sustained by reason of the raid of the rebel forces under the command of John Morgan, in July, 1863, and caused by organizing and equipping troops to repel the threatened invasion of the State by the rebel forces under the command of Adam Johnson, in the summer of 1864; prescribing some of their duties; providing for the payment of the claims adjusted by said Commissioners, and matters properly connected therewith.....	592	676, 698, 753, 774		776
21	An act to amend sections one and two of an act entitled "An act to fix the per diem and mileage of members of the General Assembly, Secretaries, Clerks, and Doorkeepers," approved June 4, 1852.....	617	755, 784		785
161	An act to amend the 16th and 47th sections of an act entitled an act to provide for the opening, vacating, and changing of highways, approved June 17, 1852.....	677			
181	An act to amend section one of an act entitled an act to incorporate the Trustees of the Indiana Female College, approved February 13, 1851.....	711	733, 784		
195	An act to legalize and declare valid and effectual all the orders, judgments, and other proceedings made, rendered, and had, by and before				

## BILLS OF THE SENATE—Continued.

Number.	TITLES.	Reported to House.	Proceedings thereon.	Passed House.	Other proceedings.
143	the Court of Common Pleas of Dearborn county, in the State of Indiana, held in the court house of said county, in the month of February, in the year one thousand eight hundred and sixty-five, and then and there, by and before the several Judges of the said Court.....	711	730, 731	786	809, 811 <sup>2</sup>
184	An act to amend the second, sixth, and seventh sections of an act entitled "An act concerning the organization of voluntary associations, and repealing former laws in reference thereto," approved February 1 <sup>st</sup> , 1855.....	712	820	821	
50	A bill to amend section five of an act entitled "An act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855.....	717	732	733	746, 747
190	An act to amend the 20th and 21st sections of an act entitled "An act providing for the election or appointment of Supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," and to make additional provisions on the same subject.....	731	756, 832		
193	An act providing for the completion of the unfinished business of any session of the General Assembly by the next succeeding special session of the same General Assembly, and declaring an emergency.....	764	772, 777	778	792
141	An act to amend sections four and eight of an act entitled "An act to incorporate the town of Knightstown, in Henry county, in the State of Indiana," approved February 2, 1837.....	764	817	818	834
163	A bill to amend the second, fifth, and sixth sections of an act entitled "An act concerning the organization of voluntary associations, and repealing former laws in reference thereto," approved February 12, 1855.....	764			
126	An act repealing all general laws now in force for the incorporation of cities, providing for the incorporation of cities, prescribing their powers, rights, and duties, and the manner in which they shall exercise the same; and regulating other matters properly connected therewith, and repealing certain acts therein specified.....	767			
	A bill to amend section one of an act entitled an act relative to the salaries of public officers, and providing the manner of paying the same, and the manner of reimbursing the State for an increase of salaries, approved March 5, 1853.....	777	780, 781	782	793

178	An act to authorize companies for the construction of water works in and for incorporated cities, to enable such cities to subscribe stock in such companies, and to issue and sell bonds for the payment thereof...	777	838
119	A bill accepting the provisions of an act of the Congress of the United States of America, entitled "An act donating lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and the Mechanic Arts, and providing for the receipt, investment, and management of said donation....."	792	824, 825 826

# JOINT RESOLUTIONS OF THE HOUSE.

Number.	TITLES.	Introduced.	By whom Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other proceedings.	Approved.
1	Proposing an amendment to the Constitution by striking out the 13th article thereof.....	44	Meredith.	45, 124, 489				
2	Accepting the donation of public lands to the States and Territories.....	58	Rhonda.	58, 124, 575				
3	Proposing an amendment to article 8 of the Constitution.....	60	Woods.	60, 124				
4	Proposing an amendment to the 23d section of the Constitution.....	63	Woods.	63, 124				
5	Asking Congress to apply certain lands for disabled soldiers, and orphan children of same.....	65	Gregg.	65, 134, 235, 289, 481				
6	That our Senators are hereby instructed, and our Representatives in Congress requested, to vote for an amendment to the Constitution of the United States forever prohibiting slavery or involuntary servitude, except for crime whereof the party has been duly convicted.....	102	Miller, of Tipp.	102, 142				
7	Instructioning our Senators and requesting our Representatives in Congress to obtain an appropriation for the improvement of the harbor at Michigan City.....	103	Higgins.	103	142	155	170, 314	231
8	Providing for the removal of John Blissford, now an inmate of the Northern State Prison, to the hospital for the insane, until he recovers his reason.....	104	Higgins.	105, 223				
9	That our Senators and Representatives in Congress be requested to use their influence in having a reduction, or to abolish the duty on imported printing paper.....	166	Thatcher.	106, 236				
10	Instructioning our Senators and requesting our Representatives in Congress to cast their influence and votes in favor of a law placing all persons injured or killed, and their widows and minor children, upon the pension rolls of the United States upon an equality with those injured or killed in the regular service....	120	Lopp.	120, 229, 254, 853				
11	For the relief of George W. Archer, refunding to him the purchase money, and interest thereon, paid for certain real estate sold as swamp land by the State, when the title was in one Michael John.....	131	Rice.	131, 234, 288, 344, 350, 688	70			
12	On behalf of Grand Rapids and Indiana Railroad Company, asking that an extension of time be granted by the Congress of the United States to enable them to complete the construction of their road.....	172	Griffith.	173, 180	237	276	284, 307, 316	325

13	Accepting and ratifying an article in addition to, and amendment of, the Constitution of the United States, proposed by the Congress thereof.....	296	Whiteside.	296, 358, 360, 361, 369, 370, 371
14	For the purpose of taking suitable inatory steps for the establishment of a school or schools for the reformation of criminals and mendicant children and youths.....	313 338	Rice. McVey.	313 358, 366, 478
15	Asking that our soldiers in rebel prisons be speedily exchanged....			
16	Requesting our Senators in Congress, and our Representatives therein, to demand from the President of the United States, in behalf the freedmen of Indiana and her soldiers in the service of the United States, a course of policy firmly retaliating against the rebels for their barbarous treatment of our prisoners, &c.....	381	Woods.	381

## JOINT RESOLUTIONS OF THE SENATE.

Number	TITLES.	Reported to House.	Proceedings thereon.	Passed House.	Other proceedings.
5	Instructing our Senators and requesting our Representatives in Congress to secure the passage of a law placing certain persons therein named on the pension roll.....	135	135, 141, 167, 315	331	339, 340
10	Relative to the establishment of a bonded tobacco warehouse at Evansville, Indiana.....	154	167, 293	340	365, 367
2	Proposing an amendment to article eight of the Constitution, so as to enable cities and towns to levy taxes for the support of common schools.....	182	278, 756, 806		
3	Proposing an amendment to section 23, article 4, of the Constitution, so as to provide for laws enabling cities and towns to raise money for the support of common schools.....	182	279, 331, 332, 756, 807	834	
16	Accepting and ratifying certain amendments to the Constitution of the United States, proposed by Congress to the Legislatures of the several States.....	380	385, 386, 387, 385	396	397, 433, 435
11	Requesting the Governor to appoint a suitable person to correct the Swamp Land Books of the State of Indiana, in the office of the Auditor of State.....	568	743, 744	806	834

By whom introduced.	SUBJECT MATTER.	Introduced.	Other proceedings.	Adopted.
Braham .....	Informing Senate that House is ready to proceed with business.....	8		8
Higgins .....	That rules of last Legislature govern this House until others are adopted.....	8		8
Newcomb .....	Speaker to appoint pages.....	9		9
Griffith .....	Directing Judiciary Committee to prefer impeachment against Clerk of Johnson county for refusing to issue certificate to E. Banta.....	9		9
Rice .....	In reference to furnishing stationery to House.....	12	12	12
Miller, of Clinton .....	That the Doorkeeper contract for daily papers, for use of members.....	12	13	13
Boyd .....	Directing Doorkeeper to furnish Revised Statutes to members.....	13		
Buskirk .....	That Librarian be directed to furnish Gavin & Ford's statutes, and Journals of House.....	13	13	13
Brown .....	To invite Minister to open joint meeting with prayer.....	13		
Stringer .....	In reference to the contested seats of Hamrick, Laue, and Miller.....	13	14	13
Shoaff, of Jay .....	That newspaper reporters be allowed inside bar.....	14		
Barnes .....	That the Doorkeeper be allowed to employ sufficient aids, &c.....	14		
Miller, of Clinton .....	Committee of Ways and Means to allow no claims unless presented ten days before adjournment.....	15	15	15
Yach .....	Doorkeeper to procure postage stamps.....	15		
Brown .....	Informing the Governor that Senate and House were ready to hear his message.....	16	15	15
Braham .....	Senate invited to attend in Hall of House to publish returns of election of Governor and Lieut. Governor.....	43	44	44
Whitehead .....	Inviting soldiers of war of the revolution, war of 1812, and for suppression of the rebellion, to seats inside of bar.....	14	44	
Newcomb .....	That Senate be invited to the Hall of House to count votes for Governor and Lieut. Governor.....	48		48
Buskirk .....	Appointment of a joint committee to wait upon Governor and Lieut. Governor to inform them of their election.....	49		49
Kilgore .....	The Doorkeeper to contract for daily papers.....	59		59
Goddard .....	That the Speaker appoint a clerk in Stationery room.....	61		61
Miller .....	That A. J. Castater be appointed Stationery clerk.....	61		
Gollins .....	To furnish seats for pages.....	62		62
Miller, of Clinton .....	To make a fair and equitable apportionment of the State, without regard to party.....	63	63, 66	
Brown .....	That 8,000 copies of the Governor's Message be printed.....	63		
Rice .....	Superintendent to report to House the amount of school fund unloaned by County Auditors.....	64		
Gollins .....	On expediency of regulating freights on public conveyances.....	65	65	
Griffith .....	To distribute Senate and House Journals, &c.....	65	65	
Braham .....	That the two Houses meet in joint convention and elect State officers.....	66		
Brown .....	Committee on Railroads be instructed to inquire what railroad company is charging too high for freight and passengers.....	66		67
Buskirk .....	On the subject of ordinance passed by Common Council of the City of Indianapolis to prevent recruiting in said city.....	67	68	
Montgomery .....	On expediency of publishing all laws in county newspapers.....	69	69, 328	
Henricks .....	That each member of the House be charged with a copy of the statutes furnished for his use.....	72	85	

## JOINT RESOLUTIONS OF THE HOUSE—Continued.

By whom introduced.	SUBJECT MATTER.	Introduced.	Other proceedings.	Adopted.
Newcomb .....	To procure rooms for use of Committees and Clerks of House .....	83		83
Higgins .....	To appoint a fireman and mail messenger .....	86	85	86
Buskirk .....	To inquire whether Andrew Wallace has furnished groceries, &c. to the Benevolent Institutions of which he is President.	86	87	
Pett .....	That the Judiciary Committee inquire whether it is practicable to amend the Constitution in a more expeditious manner than that provided by the Constitution itself.	87	88	88
Kilgore .....	Witnesses to appear in contested election cases before the House.	89	90	90
Woods .....	To prohibit County Boards investing school money in bonds of the county owning such funds.	92	92	92
Gregory, of War .....	To inquire the cost of the plates of Gavin & Hord's statutes, to supply State.	2		93
Miller, of Tipp .....	Auditor to furnish House with amount of orders drawn for State printing; also for Agent of State.	93		93
Prather .....	Expediency of establishing an institution for the correction of juvenile offenders.	93		93
Harrison .....	Committee on Fees and Salaries to examine the laws fixing the salaries of State and county officers, and report to the House.	93		93
Wright .....	Doorkeepers to turn over all newspapers contracted for by him to the Christian Commission.	94	94	
Puett .....	On death of Nelson G. Shaffer.	99	99	99
Shoaff, of Jay .....	That the House adjourn as token of respect for death of N. G. Shaffer.	101		103
Shoaff, of Allen .....	Whether two-thirds vote means all the members elected to the House, or two-thirds of those present when the vote is taken.	105	105	105
Montgomery .....	As to changing road law for certain purposes.	105	105, 32½	
Whiteside .....	Inquiring into expediency of exempting from poll tax all persons who have been in the service of the United States.	106	106	103
Bonner .....	Inquiring whether towns or cities, divided by county lines, may incorporate.	107	107	
Reese .....	All propositions for amendment of Constitution be referred to committee of five.	107		107
Emerson .....	Inquiring into expediency of investing school funds in public debt of State.	108	108	
Hogate .....	To furnish the Principal and Assistant Clerks with Gavin & Hord's statutes.	108		108
Whiteside .....	Inquiring into the right of David Stevenson, late Librarian, to withdraw the portrait of Stephen A. Douglass from the Library.	1	8	
Burton .....	That the several committees use all dispatch in reporting business back to their respective Houses, for action.	109	109	109
Shoaff, of Jay .....	In reference to the number of sessions of the House.	109	109	
Whiteside .....	Inquiring by what right J. J. Bingham, lato public printer, drew money from the Treasury in advance of appropriation.	110	110	110
Groves .....	Instructing the Committee on Elections to amend law so that soldiers may vote at their place of rendezvous.	110	110	110
Shoaff, of Jay .....	To amend election laws so as to prevent fraudulent and illegal voting.	111	111	111
Boyd .....	Persons having claims against the State to hand them in as soon as convenient.	111	111	111
Brown .....	Inquiring into the expediency of establishing a uniform system of paying bounties throughout the State.	111	111	111
Coffroth .....	In reference to repealing law establishing Courts of Conciliation.	112	112	112



Major.....	112	112	112
Patterson.....	112	112	112
Dunham.....	113	113	117, 126
Meruth.....	117	117	117
Griffith.....	117	117	117
Groves.....	119	119	119
Stivers.....	120	120	121
Thatcher.....	121	121	121
Ferris.....	122	122	122
Gregory of Warren.....	123	123	123
Goodman.....	123	123	123
Miller, of Tipp.....	123	123	123
Gregory of Warren.....	124	124	129
Boyd.....	130	130	130
Spencer.....	131	131	131
Woods.....	132	132	132
Coffroth.....	133	133	133
Grogg.....	138	138	138
Shouff, of Allen.....	148	148	148
Brown.....	161	161	161
McVey.....	173	173	173
Prather.....	177	177	177
Zeigler.....	179	179	179
Goodman.....	180	180	180
Coffroth.....	180	180, 336	181
Wright.....	181	181	181
Boyd.....	183	183	183
Brown.....	183	183	183
Milroy.....	183	183	183
Burwell.....	183	183	183
Newcomb.....	192	193	193
Milroy.....	194	194	194
Milroy.....	207	207	207
Henricks.....	207	207	207
Henricks.....	226	226	226
Shuey.....	226	226	226
Griffith.....	246	246	246
Shoaff of Allen.....	247	247	247
Wright.....	248	248	248
Pettit.....	248	248	248
Zeigler.....	249	249	249
Kilgore.....	250	250	250
Miller of Clinton.....	251	251	251
Veach.....	252	252	252
	296	296	296
	297	297	297

Duty of House to enforce the most rigid economy in management of business of State.....

In reference to taxing townships for payment of bounties.....

In reference to soliciting enlistments in the city of Indianapolis.....

In reference to taxing railroads.....

That the Secretary of State furnish each member a copy of the Acts of Congress.....

Inquiring when the Clerk of the House can be recognized by the Senate.....

Inquiring whether any provision in statute taxing school lands sold on a credit of ten years.....

Committee on Fees and Salaries be authorized to employ a clerk.....

To amend the revenue laws so as to insure a more equitable distribution of taxes.....

To pay expenses of witnesses growing out of the organization of Committee on Arbitrary Arrests.....

To inquire into the expediency of more effectually protecting the Sabbath day.....

Inquiring whether Charles B. Lasselle was a member of the Sons of Liberty.....

Depriving persons of right of suffrage who have died to avoid the draft.....

As to expediency of requiring a registration of all voters of State.....

That no questions of a partisan character be introduced until all needful legislation be attended to.....

To furnish each member with a copy of second volume of Gavin & Hord's statutes.....

To inquire as to propriety of employing collectors in each township for collection of taxes, instead of present plan.....

As to expediency of abolishing Courts of Common Pleas.....

That the Hall of House be tendered to Hon. Henry Walker, for the purpose of delivering a lecture.....

In reference to the contested seat of Cornelius J. Miller, of Clinton.....

Allowing Milroy and Glazebrook thirty dollars, for conveying home the remains of the late Hon. N. Shauler.....

Inviting Rev. J. Crozier to lecture in the House.....

On expediency of abolishing Courts of Common Pleas, and transferring business to Circuit Courts.....

On salaries of county officers.....

Inquiring into the expediency of authorizing County Boards to make appropriations to open, build, and repair roads and highways.....

On expediency of abolishing Courts of Common Pleas, and transferring the business to Circuit Courts.....

On propriety of converting Southern State Prison into a House of Refuge.....

That each committee keep a record of their proceedings, and that they be filed in State Library, as a part of the proceedings of this House.....

That the Governor lay before the House the annual reports of officers of State.....

Requiring six months notice to dispossess the wife or family of any soldier in the army of the United States.....

Granting House to the renowned J. N. Free, to lecture on the war.....

Appointing joint convention to elect three Commissioners of Sinking Fund.....

Judiciary Committee to return Senate bill, No. 3.....

To report Senate bill back to the House, instant, for further action.....

Instructing the Speaker to take from his table sundry bills.....

Motions and resolutions on condition of country, be referred to Committee on Federal Relations, without debate.....

Tendering the use of Hall of Representatives for a temperance meeting.....

Asking that the Blind Asylum Chapel be used for the purpose of holding meetings for worship by the Protestant Episcopal Church.....

To amend the school law so that the German language may be taught in schools.....

That the members from Monroe and Jefferson deserve the censure of the House.....

Providing by law for soldiers in the military service of the United States to vote.....

That the Committee on Benevolent Institutions be requested to provide a remedy for the crowded state of Lunatic Asylum.....

That the State Printer be ordered to print 8,000 copies of accompanying documents to Governor's Message, and deliver them to the House.....

That the Committee of Ways and Means report the claim of D. J. Silvers.....

That the Doorkeeper procure a piece of zinc for covering the register.....

## RESOLUTIONS OF THE HOUSE—Continued.

By whom introduced.	SUBJECT MATTER.	Introduced.	Other proceedings.	Adopted.
Wright.....	That the Judiciary Committee inquire into the propriety of making an appropriation for the purpose of paying taxes of soldiers and marines.....	298	298	298
Osborn.....	On propriety of repealing certain sections of an act in reference to Auditors, Treasurers, &c.....	298	298	298
Beckett.....	That the elective officers inform the House of the number of their subordinates.....	298	298	298
Gregory.....	Clerks of Common Pleas Courts be required to make complete records of the settlement of decedents' and wards' estates, &c.....	312	312	312
Shuey.....	Extending the powers of Trustees of incorporated towns.....	313	313	313
Shouff, of Jay.....	Authorizing Common Councils of cities having a population of ten thousand inhabitants, to establish houses of refuge.....	314	314	314
Major.....	Making violation of election laws punishable in State Prison.....	314	314	314
Buskirk.....	Doorkeeper to contract with A. & W. H. Drapier for 500 copies Brevier Legislative Reports.....	321	322	322
Groves.....	Allowance to persons applying for a writ of <i>habeas corpus</i> .....	325	325	325
Church.....	Inquiring into the necessity of appraising and assessing, for taxation, railroads which are being constructed.....	325	325	325
Whiteside.....	To inquire into expediency of repealing law requiring election of Supervisors.....	325	325	325
Miller, of Tipp.....	8000 additional copies of Sanitary Report be printed for use of Sanitary Commission.....	358	358	358
Sim.....	Tendering use of Hall to Mrs. Wilhelm, to deliver a lecture on the State of the country.....	383	383	383
Woods.....	That a certified copy of the Joint Resolution abolishing slavery throughout the United States, be engrossed on vellum and forwarded by His Excellency, the Governor, to the President of the United States, to be laid before Congress.....	395	395	395
Kilgore.....	Quartermaster General cause to be prepared and printed 8,000 copies of report of Chief of Ordnance, for settlement of accounts of officers in the field.....	396	397	397
Buskirk.....	Allowing the widow of the late Hon. N. G. Shafer to draw pay for full amount of services of said Shafer, for the whole session of the Legislature.....	413	414	414
Sims.....	Accepting invitation of Governor Morton to visit camps.....	415	415	415
Boyd.....	No member hereafter be allowed to speak longer than ten minutes, unless by unanimous consent of the House.....	415	415	415
Rhoads.....	Holders of Wabash and Erie Canal not to abandon the same, without being a violation of contract.....	416	417	416
Newcomb.....	That Austin M. Puett be allowed his per diem up to time of vacating his seat.....	417	417	417
Jervis.....	That Senate bill, No. 53, which passed the House Feb. 8, 1865, be returned by the Governor to the House in which it originated, for further consideration.....	417	417	417
Newcomb.....	That L. S. Newell be allowed use of Hall of House, to lecture.....	418	418	418
Buskirk.....	That Mr. Colover's seat be declared vacant, and that the Governor be notified thereof.....	420	420	420
McVey.....	That the Hall of the House be granted to Mr. Sinclair, to lecture.....	427	427	427
Goodman.....	That the Committee on the Judiciary be requested to report House bill, No. 13, for action.....	433	433	433
Henricks.....	That the regular sessions of the House shall commence at 9 o'clock, A. M., and 2 o'clock, P. M.....	444	444	444
Johnson.....	That Messrs. Lane and Hamrick be furnished a copy of Gavin & Hord's statutes.....	448	448	448

James.....	455	489	456	456
Foulke.....	491	491	491	491
Kilgore.....	571	604	571	571
Gregory.....	604	604	604	604
Branham.....	677	677	677	677
Wright.....	697	697	697	697
Griffith.....	702	702	702	702
Gregory.....	702	702	702	702
Branham.....	719	719	719	719
Buskirk.....	720	720	720	720
Buskirk.....	738	738	738	738
Kilgore.....	738	738	738	738
Newcomb.....	740	740	740	740
Gregory, of War.....	740	740	740	740
Higgins.....	772	772	772	772
Church.....	773	773	773	773
Newcomb.....	777	777	777	777
Brown.....	798	798	798	798
Shoaff, of Jay.....	799	799	799	799
Higgins.....	799	799	799	799
Sim.....	811	811	811	811
Shoaff, of Allen.....	829	829	829	829
Branham.....	829	829	829	829
Hamric.....	839	839	839	839
Rice.....	844	844	844	844
	845	845	845	845

That a Joint Committee, consisting of three members of the Committee on Corporations of the House, and three members from the Committee on Corporations of the Senate, be appointed, and that all bills to amend the general law providing for the incorporation of cities, be referred to said Joint Committee, with instructions to inquire into the expediency of enacting a new law to take the place of the act of 1857, and embodying all amendments to be subsequently made to said act, and all amendments which, in the judgment of said Committee, ought to be made thereto.....

That Senate be requested to return House bill, No. 59, to the House.....

Appointment of Auditing Committee, to whom all claims of Commissary General, Quartermaster General, &c., shall be presented for examination and allowance.....

That House bill, No. 178, be considered in Committee of the whole House, for the purpose of amending the same.....

That House bills, Nos. 173, 153, and 140, be made the special order at 10½ o'clock to-day, Feb. 26.....

Allowing Cyrus T. Nixon, Principal, and Capt. T. W. O. Braffert, Assistant Clerk of the House, \$125 each for superintending the printing of the Journal.....

That members of Committee on Education be allowed their actual expenses for visiting different places to locate Agricultural College.....

Allowing Committee on State Prison North, the sum of \$25 for visiting and examining prison.....

Calling on Adjutant General for information in reference to credits of re-enlisted volunteers.....

Allowances made to Henry Crawford, A. T. Whittlesy, and Frank Cosigan, for certain services.....

Allowing L. B. Wilson \$20, for diagram of House of Representatives.....

That the Clerks of the several counties distribute the Senate and House Journals, Documentary Journals, and Acts of the General Assembly, among the several townships.....

Allowing C. F. Rooker for his services as ordnance officer.....

Allowing Cyrus T. Nixon, Principal Secretary, and Capt. T. W. O. Braffert Assistant Clerk one dollar per day in addition to that already allowed.....

Allowing sundry employees of the House one dollar additional per day to that already allowed.....

That in order to save a large expense to the State, and to avoid an extra session of the Legislature, that the House agree to take up Senate bill, No. 190, on that subject.....

That the Stationery Clerk report to the House a detailed statement of the stationery furnished the different Committees of the House.....

That it shall be the duty of the Stationery Clerk, at the close of the session, to deliver all stationery then on hand to the State Librarian.....

That Cyrus L. Dunham be expelled from the House for violently striking an Assistant Doorkeeper.....

That Jamison Lee be allowed per diem for the entire session of the Legislature.....

That each member of the House Committee on State Prison be allowed mileage from going to and returning from said prison.....

That Committee of Ways and Means, after adjournment of Legislature, be authorized to examine Bank Department of Auditor's office, and cancel the vouchers in the Auditor's and Treasurer's offices.....

Extra allowances made to Doorkeepers, and other employees of House.....

That the Secretary of State be directed to cause to be printed House bill, No. 8, known as the dog law, and that he have it distributed to County Auditors, &c.....

That the Adjutant General be required to make up a full and complete report of his office, which shall embrace the names, residences, date of enlistment and muster, and date of discharge or death, of every officer, soldier, and marine, enlisted in the military or naval service of the United States, during the present war, with such information relating to the State or United States service, as may be of public interest, and in similar style to those published by other States. Two thousand copies of which report shall be printed and bound under the direction of the Adjutant General, as other public documents are printed and bound.....

That the State Board of Agriculture publish 2000 copies of report for 1864.....

That Clerks of Committee of Ways and Means be allowed additional compensation.....

# JOINT RESOLUTIONS OF THE HOUSE--Continued.

By whom introduced.	SUBJECT MATTER.		Introduced.	Other proceedings.	Adopted.
Miller, of Tipp.....	That there be a committee, consisting of three, two on the part of the House and one on the part of the Senate, to revise the Statutes of the State of Indiana, and that said Committee be authorized to contract with Gavin & Hord for the copyright and plates of Gavin & Hord's Revised Statutes of the State of Indiana, if, in their opinion, they can thereby make a complete revision of the Statutes of the State cheaper by purchasing said Revised Statutes and plates; and that said Committee shall meet at such place as shall be prepared for them by the State Librarian, and shall receive for their services, while engaged in said revision, the sum of six dollars per day; and shall have power to employ two Clerks, who shall receive five dollars per day, to be paid out of the appropriation for the expenses of this Legislature; and it shall be their duty to report said revision at the next meeting of the Legislature of the State of Indiana, whether special or regular.....		846 854	846 854	851
Henricks.....	That the Speaker's Clerk, John S. Duncan, be allowed the additional sum of \$61.....				
Trusler.....	1st. That the people of the State of Indiana have observed, with pride and satisfaction, the gallant conduct of the officers and men in the volunteer service of the United States from this State, and that they desire, through their Representatives, to express their high appreciation thereof, and to congratulate them upon the glorious record they have made for themselves, their State, and their country.				
	2d. That the Secretary of State cause a sufficient number of the above resolution to be printed, and that the Adjutant General be requested to forward the same to the several commanders of Indiana Volunteer Regiments and Batteries, who will order the same read upon parade of their respective commands.....		854	854	854
Shoaff, of Jay.....	That S. A. Hoover and L. A. Foote, Clerks to Committee of Ways and Means, be allowed one dollar per day in addition to what they have already received.....		854	854	854
Church.....	That C. J. Miller, Higgins Lane, Samuel Colover, and A. D. Hamrick, and Austin M. Puett, be allowed fifty dollars for expenses incurred in contesting their seats in the Legislature.....		854	854	854
Boyd.....	Tendering thanks to Hon. John U. Pettit, Speaker of the House, for the impartial and polite manner in which he has discharged the duties of Speaker of the House.....		855	855	855
Boyd.....	That David Stevenson be allowed one thousand and seventy dollars for one hundred and two copies of Gavin & Hord's Revised Statutes.....		855	855	855
Wright.....	That the Auditor to issue a warrant for the sum of twenty-five dollars, to cover expenses of such members visiting prisons, upon presentation of the certificate of the Chairman of said Committee, certified by Speaker.....		858	859	859
Kilgore.....	That Isaac Fouts be allowed additional compensation.....		859	859	859
Coffroth.....	Thanks to Clerk, Assistant Clerk, and other officers of House.....		859	859	859
Trusler.....	That the thanks of the people of the State are hereby tendered to the officers and men of the Indiana Legion,				

Griffith.....	859	859	859
Woods.....	860	860	860
Buskirk.....	860	860	860
Newcomb.....	861	861	861
Branham.....	861	861	861
Riford.....	873	873	873
for the gallant and efficient manner in which they have discharged the important duties which have been entrusted to them.			
That the Secretary of State caused to be printed a sufficient number of the above resolution, and that the Adjutant General be requested to forward the same to the several commanders of the Indiana Legion, who will order the same read upon parade of their respective commands.....			
Granting use of Blind Asylum Chapel to Episcopalians.....			
That the Postmaster be requested to forward all mail matters to the respective members, after adjournment.....			
That the Secretary of State send to each member the Journals and Brevier Reports, &c.....			
That the Adjutant General have the use of the Supreme Court room.....			
That the Clerk be instructed to file all the bills and papers of the House with the Librarian.....			
That the thanks of the House be given to the proprietors of the Indianapolis Daily Journal for favors during the present session.....			











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